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# Convention on the Elimination of All Forms of Discrimination against Women

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**Committee on the Elimination of Discrimination against Women**

## Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

### Combined fifth and sixth periodic reports of States parties

### Philippines*

* The present document is being issued without formal editing.

For the initial report submitted by the Government of the Republic of the Philippines, see CEDAW/C/5/Add.6, which was considered by the Committee at its third session. For the second periodic report submitted by the Government of the Republic of the Philippines, see CEDAW/C/13/Add.17, which was considered by the Committee at its tenth session. For the third periodic report submitted by the Government of the Republic of the Philippines, see CEDAW/C/PHI/3 and for the fourth periodic report submitted by the Government of the Republic of the Philippines, see CEDAW/C/PHI/4, which were considered by the Committee at its sixteenth session.

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**Note: B14.3 was not included in the submission**

## ACRONYMS

| | |
|---|---|
| ACHIEVE | Action for Health Initiatives, Inc. |
| ADB | Asian Development Bank |
| AFMA | Agriculture and Fisheries Modernization Act |
| AIDS | Acquired Immuno-Deficiency Syndrome |
| AFP | Armed Forces of the Philippines |
| AFTA | ASEAN Free Trade Area |
| AO | Administrative Order |
| APEC | Asia Pacific Economic Cooperation |
| ARB | Agrarian Reform Beneficiary |
| ARC | Agrarian Reform Community |
| ARIAT | Asian Regional Initiative Against Trafficking of Women and Children |
| ARMM | Autonomous Region of Muslim Mindanao |
| ASEAN | Association of Southeast Asian Nations |
| AYHDP | Adolescent and Youth Health Development Program |
| BHS | *Barangay* Health Station |
| BLES | Bureau of Labor and Employment Statistics, Department of Labor and Employment |
| BNFE | Bureau of Non-Formal Education, Department of Education |
| BPRE | Bureau of Post Harvest Research and Extension, Department of Agriculture |
| BTRCP | Bureau of Trade Regulation and Consumer Protection |
| BWS | Battered Wife Syndrome |
| BWYW | Bureau of Women and Young Workers, Department of Labor and Employment |
| CACHILA | Concerned Citizens Against Child Labor |
| CAPWINGS | Career Advancement Program for Women in Government Service |
| CAPWIP | Center for Asian Pacific Women in Politics |
| CATW-P | Coalition Against Trafficking of Women in Asia Pacific |
| CARP | Comprehensive Agrarian Reform Program |
| CASAGAL | Court-Appointed Special Advocates/Guardian As Litem |
| CBA | Collective Bargaining Agreement |
| CDA | Cooperative Development Authority |
| CEDAW | Committee on the Elimination of All Forms of Discrimination Against Women |
| CES | Career Executive Service |
| CESB | Career Executive Service Board |
| CEO | Chief Executive Officer |
| CFO | Commission on Filipinos Overseas |
| CGRJ | Committee for Gender-Responsive Judiciary |
| CHED | Commission on Higher Education |
| CIDA | Canadian International Development Agency |
| CIDSS | Comprehensive and Integrated Delivery of Social Services |
| CITC | Cottage Industry Technology Center |
| CLD | Center for Legislative Development |
| CLOA | Certificate of Land Ownership Award |

| | |
|---|---|
| CODI | Committee on Decorum and Investigation |
| COMBAT-VAW | Community-Based Approach to VAW |
| Co-op INSIGHT | Cooperative for Integral Services in Gender and Health Technology |
| COPE | Comprehensive Orientation Program for Entertainers |
| CPP-NPA | Communist Party of the Philippines-New Peoples' Army |
| CWC | Council for the Welfare of Children |
| CRC | Convention on the Rights of Children |
| CSC | Civil Service Commission |
| CWTS | Civil Welfare Training Service |
| DA | Department of Agriculture |
| DAR | Department of Agrarian Reform |
| DAW | Disadvantaged Women (Coalition) |
| DBM | Department of Budget and Management |
| DBP | Development Bank of the Philippines |
| DepEd | Department of Education |
| DENR | Department of Environment and Natural Resources |
| DFA | Department of Foreign Affairs |
| DILG | Department of the Interior and Local Government |
| DOH | Department of Health |
| DOLE | Department of Labor and Employment |
| DSWD | Department of Social Welfare and Development |
| DTI | Department of Trade and Industry |
| ECC | Employees' Compensation Commission |
| ECCD | Early Childhood Care and Development |
| ECDP | Early Childhood Development Project |
| ECPAT Phil. | **End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes Philippines** |
| EDSA | ***Epifanio de los Santos Avenue*** |
| EP | Emancipation Patent |
| ERPAT | Empowerment and Reaffirmation of Paternal Responsibilities |
| FLEMMS | **Functional Literacy, Education and Mass Media Survey** |
| FPW | Framework Plan for Women |
| FRT | Fertility Regulating Technology |
| FWRC | Filipino Workers' Resource Center |
| GAA | General Appropriations Act |
| GAD | Gender and Development |
| GDI | Gender-related Development Index |
| GDP | Gross Domestic Product |
| GEM | Gender Empowerment Measure |
| GFIs | Government Financing Institutions |
| GMEF | Gender Mainstreaming Evaluation Framework |
| GNP | Gross National Product |
| GOCC | Government-Owned and Controlled Corporation |
| GOP | Government of the Philippines |
| GRC | Gender Resource Center |
| GSIS | Government Service Insurance System |
| GST | Gender Sensitivity Training |

| | |
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| HASIK | Harnessing Self-Reliant Initiatives |
| HAVEN | Hospital-Assisted Crisis Intervention for Women Victims/Survivors of Violent Environments |
| HDI | Human Development Index |
| HDR | Human Development Report |
| HPI | Human Poverty Index |
| HIV | Human Immuno-Deficiency Virus |
| IACAT | Inter-Agency Committee Against Trafficking |
| ICT | Information and Communications Technology |
| IDD | Iron Deficiency Disorder |
| ILO | International Labor Organization |
| ILS | Institute for Labor Studies, Department of Labor and Employment |
| IOM | International Organization on Migration |
| IPEC | International Programme for the Elimination of Child Labour |
| ISSA | Institute for Social Studies and Action |
| KALAHI | *Kapit Bisig Laban sa Kahirapan* |
| KALAKASAN | *Kababaihan Laban sa Karahasan* |
| LBP | Land Bank of the Philippines |
| LGSP | Local Government Support Program |
| LF | Labor Force |
| LFPR | Labor Force Participation Rate |
| LTS | Literacy Training Service |
| MAFC | Municipal Agriculture and Fishery Council |
| MAIN | Migrants' Advisory and Information Network |
| MBN | Minimum Basic Needs |
| MDP | Multi-Donor Program |
| MILF | Moro Islamic Liberation Front |
| MNLF | Moro National Liberation Front |
| MSNAT | Multi-Sectoral Network Against Trafficking |
| MTPDP | Medium-Term Philippine Development Plan |
| NAPC | National Anti-Poverty Commission |
| NAPOLCOM | National Police Commission |
| NBI | National Bureau of Investigation |
| NCRFW | National Commission on the Role of Filipino Women |
| NCWDP | National Council for the Welfare of Disabled Persons |
| NEDA | National Economic and Development Authority |
| NFL | National Federation of Labor |
| NGO | Non-Government Organization |
| NHIP | National Health Insurance Program |
| NLRC | National Labor Relations Commission, Department of Labor |
| NLSF | National Livelihood Support Fund |
| NPACL | National Program Against Child Labor |
| NSCB | National Statistical Coordination Board |
| NSO | National Statistics Office |
| OFW | Overseas Filipino Worker |
| OPA | Overseas Performing Artist |
| OPAPP | Office of the Presidential Adviser for the Peace Process |

| | |
|---|---|
| OSHC | Occupational Safety and Health Center, Department of Labor and Employment |
| OUMWA | Office of the Undersecretary for Migrant Workers' Affairs, Department of Foreign Affairs |
| OWWA | Overseas Workers' Welfare Administration |
| PAFC | Provincial Agriculture and Fishery Council |
| PBSB | Philippine Beijing Score Board |
| PCIJ | Philippine Center for Investigative Journalism |
| PCARRD | Philippine Council for Agriculture, Forestry and National Resources Research and Development |
| PCHR | Philippine Commission on Human Rights |
| PCFC | Peoples Credit Finance Corporation |
| PCTC | Philippine Center for Transnational Crime |
| PDOS | Pre-Departure Orientation Seminar |
| PDPW | Philippine Development Plan for Women |
| PETA | Philippine Educational Theater Association |
| PESO | Public Employment Services Office |
| PEZA | Philippine Economic Zone Authority |
| PFA | Beijing Platform for Action |
| PNP | Philippine National Police |
| POEA | Philippine Overseas Employment Administration |
| POLO | Philippine Overseas Labor Officer |
| PPGD | Philippine Plan for Gender-Responsive Development |
| PSCB | Productivity Skills Capability Building for Disadvantaged Women |
| PTTC | Philippine Trade Training Center |
| QRT | Quick Response Team |
| RA | Republic Act |
| RAFC | Regional Agriculture and Fishery Council |
| R&D | Research and Development |
| RETP | Reading Education Training Program |
| ROTC | Reserved Officers' Training Corps |
| RTI | Reproductive Tract Infection |
| SACOP | Socialization Council of Pampanga |
| SALIGAN | *Sentro ng Alternatibong Lingap Panlegal* |
| SBGFC | Small Business Guarantee and Finance Corporation |
| SC | Supreme Court |
| SCRA | Supreme Court Reports Annotated |
| SDA | Social Development Assistance |
| SEA-K | Self Employment Assistance-Kaunlaran |
| SGWG | **Senior Government Working Group** |
| SIBOL | ***Sama-samang Inisyatiba ng Kababaihan sa Pagbabago ng Batas at Lipunan*** |
| SME | Small and Medium Enterprises |
| SONA | State of the Nation Address |
| SRA | Social Reform Agenda |
| SRTC | Statistical Research and Training Center |
| SSS | Social Security System |

| | |
|---|---|
| STD | Sexually-Transmitted Disease |
| STI | Sexually-Transmitted Infections |
| STUFAP | Student Financial Assistance Program |
| SULONG | SME Unified Lending Opportunities for National Growth |
| SWAP | SWAP Work Assistance Program |
| SY | School Year |
| SZOPAD | Special Zone for Peace and Development |
| TESDA | Technical Education and Skills Development Authority |
| TUCP | Trade Union Congress of the Philippines |
| TVET | Technical Vocational Education and Training |
| UN | United Nations |
| UNDP | UN Development Program |
| UNFPA | UN Population Fund |
| UNICEF | UN Children's Fund |
| UNIFEM | United Nations Women's Fund |
| UCWS | University of the Philippines Center for Women's Studies |
| VAW | Violence Against Women |
| VAWC | Violence Against Women and Children |
| VAWCC | VAW Coordinating Committee |
| VRB | Videogram Regulatory Board |
| WAGI | Women and Gender Institute |
| WB | World Bank |
| WBCP | Women's Business Council of the Philippines |
| WCC | Women's Crisis Center |
| WCPU | Women and Children Protection Unit |
| WEDC | Women in Especially Difficult Circumstances |
| WEDPRO | Women's Education, Development Productivity and Research Organization, Inc. |
| WEED | Women Workers Employment and Entrepreneurship Development |
| WFS | Women's Feature Service |
| WLB | Women's Legal Bureau |
| WSAP | Women's Studies Association of the Philippines |
| WTO | World Trade Organization |

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Department of Budget and Management
Department of Education
Department of Environment and Natural Resources
Department of Finance
Department of Foreign Affairs
Department of Health

***Department of the Interior and Local Government***

Bureau of Jail Management and Penology

***Department of Justice***

Bureau of Immigration
Department of Labor and Employment
Bureau of Labor Relations
Bureau of Women and Young Workers
Institute for Labor Studies
National Labor Relations Commission
Occupational Safety and Health Center
Overseas Workers Welfare Administration
Philippine Overseas Employment Administration
Technical Education and Skills Development Authority
Department of National Defense
Department of Public Works and Highways
Department of Science and Technology
Department of Social Welfare and Development
Department of Tourism
Department of Trade and Industry
Department of Transportation and Communication
House of Representatives-Committee on Women

Local Government Academy
Local Government in Davao Del Norte
National Anti-Poverty Commission
National Bureau of Investigation
National Commission on Indigenous People
National Economic Development
Authority
National Statistical Coordination Board
National Statistics Office

***National Youth Commission***

Pangasinan State University

***Philippine Economic Zone Authority***

Philippine Information Agency
Philippine Military Academy
Philippine National Police

***Philippine Sports Commission***

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(WAND)
Women's Business Council
Women's Initiative for Sustainable Economic Action, Inc. (Wiseact)
Women's Crisis Center
Women's Feature Service

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I.1. The present report represents the combined fifth and sixth reports of the Philippines on the implementation of the UN Convention on the Elimination of All Forms of Discrimination Against Women (The Women's Convention). It covers the period from the submission of the fourth report in December 1995 to December 2003.

I.2. As in the past, this report benefited from the contributions of concerned government agencies and non-government organizations (NGOs). The National Commission on the Role of Filipino Women (NCRFW), the national machinery for the advancement of women in the country, constituted a technical committee and several subcommittees to facilitate the preparation of the report. A briefing on the Women's Convention, its provisions and the UN Committee responsible for the monitoring of the Women's Convention was organized for government and NGOs by the NCRFW in cooperation with the Department of Foreign Affairs (DFA). Several technical meetings were conducted with government and NGOs for the preparation of the report. Finally, a government-NGO consultation workshop was held to validate the comprehensiveness, completeness and accuracy of the information and analyses presented in the report. A group of experts from government and NGOs also reviewed the draft report for its finalization.

I.3. Following the format indicated in the new reporting guidelines on the Women's Convention, the report consists of three parts: Part One contains responses to the concluding comments and recommendations made by the UN Committee on the Elimination of All Forms of Discrimination Against Women (UN CEDAW) on the fourth report submitted by the Philippine government. Part Two, the Summary, contains information updates on the Philippine political, social and economic situation including updates on the situation of Filipino women. This part also summarizes major policy and program developments that respond to women's concerns and highlights remaining issues and obstacles to women's full participation in development. Part Three provides specific information regarding the implementation of Articles 1 to 16 of the Women's Convention.

I.4. As a signatory, the Philippines is committed to implement the Convention as well as other international agreements to improve the situation of women worldwide, such as the Beijing Declaration and Platform for Action (PFA) and the Beijing Plus Five Outcome Document. This report thus covers updates on laws, policies, and programs that were put in place to address the problems and issues related to the various articles of the Convention and the relevant provisions of the Beijing declarations for the period from 2001 to 2003.

I.5. The UN CEDAW is requested to refer to an appended list of references, acronyms, and tables used in the report.

# PART ONE: MAJOR POLICY AND PROGRAM DEVELOPMENTS IN RESPONSE TO THE CONCLUDING COMMENTS OF THE CEDAW COMMITTEE ON THE PHILIPPINE FOURTH REPORT

1. The Government of the Republic of the Philippines welcomed the suggestions and recommendations by the United Nations Committee on the Elimination of All Forms of Discrimination against Women (UN-CEDAW) Committee on its fourth periodic report, which the Philippine Delegation presented on 27 January 1997. The UN CEDAW Concluding Comments, which fairly captured the status of Filipino women and priority areas of action, were disseminated to all concerned government agencies under whose mandates and programs these comments could be addressed. The National Commission on the Role of Filipino Women (NCRFW) also shared the Concluding Comments with non-governmental organizations (NGOs) and everyone else who participated in the preparation of the report.

2. As an overall response, the Philippine government informs the UN CEDAW that its Concluding Comments served as inputs into the annual Gender and Development (GAD) Plans of concerned government agencies. Each agency is required by law to submit a GAD plan that details how it intends to implement its mandate under the Philippine Plan for Gender-Responsive Development (PPGD), Framework Plan for Women, GAD Budget Policy, gender equality-related laws and international agreements.

3. To facilitate the implementation of the Women's Convention and other international agreements, the Philippines formulated development plans for women. The plans translate the provisions in the international commitments into specific policy and program measures. The plans also seek to address the gaps in the implementation of the said agreements and informed the development efforts for women of the past and present leaders of government. The first plan, developed during the term of former President Corazon Aquino was the Philippine Development Plan for Women (1989-1992), followed by the 30-year perspective plan, the Philippine Plan for Gender-Responsive Development (PPGD) (1995-2025) under the term of former President Fidel Ramos. From the PPGD, the Framework Plan for Women (FPW) was drawn. A time slice of the PPGD, the FPW outlines interventions for women that the administration of President Gloria Macapagal Arroyo will carry out to respond to the pressing and emerging needs of women in three areas of concern, namely: (a) women's economic empowement, (b) women's human rights and (c) gender-responsive governance.

4. With the support of women's organizations and other civil society groups, the Executive Branch of the Philippine government lobbied the Legislative Branch to pass legislation critical to the protection of women's rights, such as on solo parents, anti-rape, trafficking in women and domestic violence and abuse of women in intimate relationships, anti-rape. The Executive Branch also supported the information dissemination and GAD planning of the Judiciary to ensure the effective implementation of laws on women's human rights.

5. Details on what the government has done in line with the UN CEDAW's comments and recommendations since 1996, and what it is committed to pursue under the FPW up to 2004 follows.

**On the adoption of a policy creating safe and protected jobs for women**

> *"The Committee expressed its grave concern about the economic reforms which have resulted in positive growth in the gross national product (GNP), on the one hand and the increasing gap in the rates of employment of women and men and the economic marginalization of women on the other. Such damages, even if short-term, will be increasingly hard to rectify. It appears that, for lack of economic livelihood, rural women migrate to urban areas where unemployment is higher than ever, and this might account for the large numbers of sex workers in illegal prostitution and for the high proportion of women migrating as overseas workers. (Paragraph 18, CEDAW 1997)*
>
> *"The Committee urged the Government of the Philippines to adopt a top-priority policy of creating safe and protected jobs for women and their participation as subcontractors and in informal sector, as workers in free trade zones or as in commercial sex, as migrant overseas contract workers." (Paragraph 23, CEDAW 1997)*
>
> *"The Committee suggested that the Government re-examine its economic policy in the light of alarming indicators that economic growth was occurring while women were being widely marginalized and exploited, on the one hand, and encouraged to leave their homes and families for overseas employment, on the other hand." (Paragraph 24, CEDAW 1997)*

6. It is the policy of the State for women to participate in and benefit from development on an equal basis with men. Drawn from the gender equality provision of the Philippine Constitution of 1987, this policy is echoed in such laws as Republic Act (RA) No. 7192, or the Women in Development and Nation Building Act of 1992. The principle of economic growth with social equity, which underpinned the economic policies of the administrations under review, provided a policy environment supportive of the pursuit of the rights and needs of men and women living in rural areas and working in the informal sector, as well as those in homework and in overseas employment. The fulfillment of women's right to employment, including occupational health and personal safety at work, has been an ongoing concern of the Philippine government. The protection of the livelihood and minimum basic needs of the poor is another overriding concern.

7. As noted under Article 8, as chair of APEC in 1996, the Philippines, in partnership with Canada, hosted the first meeting of the APEC Women Leaders' Network, which led to an APEC Leaders' commitment to "the full participation of women and youth" in APEC programs, processes and activities. Subsequent Leaders' Meetings built on this initial commitment and today, the gender perspective is firmly established as a crosscutting theme in APEC. The Philippines played key roles in this process. It hosted the first APEC Ministerial Meeting on Women in 1999 to discuss the potential negative impact of trade liberalization and economic deregulation on women and other vulnerable sectors. In partnership with New Zealand, the Philippines prepared the background paper on the impact of trade liberalization policies on women for the Second APEC Ministerial Meeting on Women held in September 2002 in Guadalajara, Mexico (APEC 2002). The paper highlighted the negative impact of trade

liberalization policies on women. The paper recommended the need to review said policies to ensure that economic, social and political rights of women are protected and promoted.

8. Interventions under FPW. For 2001-2004, the government pursues more vigorously the protection of the rights of women in the economy along the direction set by the FPW. It focuses on "promoting women's economic empowerment through access to capital, market, training, information, technology and technical assistance, just wages and benefits, protection against exploitation, participation in economic decision making and safe working conditions." Among the new measures are: (a) raising women's awareness of their economic rights and participation of the community in ensuring women's economic rights, (b) enhancing capacities of employers to implement women related labor laws, (c) promoting cooperation between women workers and women business owners and managers, and (d) facilitation of women's participation in economic governance through support of organizing of women in government and business sectors.

9. In the country, the advocacy for gender sensitivity in economic policy making continues. The Women's Business Council of the Philippines became a major dialogue partner of government on the impact of economic issues on women. Other resource groups produced policy studies on such issues as the impact of globalization and the 1997 economic crisis on women. These have been critical inputs in the government's efforts to protect women's economic rights.

10. As reported in Article 11, bilateral and multilateral agreements are being negotiated to protect the rights of overseas workers including women. Mechanisms are in place in some countries. Bilateral arrangements with some host countries (such as the United Kingdom, Switzerland, Belgium, Kuwait) for use of standard employment contracts and social security coverage were forged.

11. Efforts were pursued to increase the accountability of recruitment agencies and Philippine Overseas Labor Officers for the protection of overseas Filipino workers (OFW). Stricter rules for the entry of new recruitment agency and stiffer penalties for violators were adopted.

12. The government is rigorously pursuing the modernization of fisheries and agriculture sectors as mandated by the passage of the Agriculture and Fisheries Modernization Act of 1997. It is hoped that the programs will raise rural income and ensure food security, as well as promote rural development.

13. The labor department, in partnership with government and non-government stakeholders, produced the Country Program for the informal sector, which sought to institutionalize programs and policies for the informal sector through local governments (see Article 11 for details). Approved by the Social Development Committee of the Cabinet in July 2003, the program replicates the lessons from the pilot, including capacity development of local governments to support their respective informal sectors, particularly those in rural areas, and strengthening of organizations of informal sector workers at the local level.

14. As discussed in Article 13 and Article 14, the Philippine Government, cognizant of the threats that economic deregulation and trade liberalization present to some sectors of the economy has

strengthened programs for generating alternative employment opportunities. Among the elements of the national strategy are:

a. Making financing available for men and women in small and medium enterprises (SME), as well as those in micro and cottage enterprises,

b. Entrepreneurship development and training in industry-focused skills for women in the micro, cottage and SME sectors,

c. Technical assistance to improve the productivity and working conditions of small enterprises, with due attention to female-dominated ones like the garments and jewelry sectors,

d. Promotion of rural employment through self-employment and entrepreneurship, and

e. Facilitation of employment for domestic and overseas work through the Philjobnet (Internet employment service facilitation) as well as access to other government services like credit and training through Public Employment Services Offices (PESO) at the local levels.

**On information and support services to women overseas workers**

> *"The Committee strongly recommended that the Government establish a special national focal point to provide information and support services to women before departure to overseas work, as well as in the receiving countries in cases of need." (Paragraph 25)*

15. The implementation of the Migrant Workers and Overseas Filipinos Act of 1995 went into full gear during the period under review. In line with the law, the President appointed in mid-2001, a former woman migrant worker to the Governing Board of the Philippine Overseas Employment Authority (POEA), which is the official regulatory body for overseas employment. Other key measures that were put in place include additional welfare services for OFWs beginning 2002 under the program "International Social Welfare Services for Filipinos" of the social welfare department. As part of this program, the department deployed the first batch of social welfare officers to five Middle Eastern countries (Abu Dhabi, Dubai, Kuwait, Qatar, and Saudi Arabia) and three Asian destinations (Singapore, Hong Kong, and Taiwan); and fielded a social welfare attaché in Malaysia and social workers in Japan. They are expected to render direct services (transportation, shelter, and food assistance); case management, including referrals to other social services, counseling, group therapy, and filing of cases; jail and hospital visits; values enhancement and skills training; and advocacy and social mobilization. A year since their deployment, the social welfare officers have been able to assist 6,429 Filipinos in Malaysia, 3,820 Filipinos in Japan, 158 Filipinos in Hong Kong, and 2,451 Filipinos in other countries where said officers serve as technical assistants to the labor attaché. About 90 percent of the clients are women, aged 22 to 40 years; the rest are men and children.

16. Pre-departure information and support services for OFW

a. The Commission on Filipinos Overseas created the Migrants Advisory and Information Network (MAIN), to effectively disseminate information on migration concerns to the public. MAIN Desks were set up at regional, provincial, city, municipal and barangay levels, and information campaigns conducted in various regions. NGOs have been active in information dissemination, education and training.

*b.* For women OFW in domestic employment who are vulnerable to maltreatment, abuse, and other forms of violence, the POEA has developed a skill and country specific pre-departure orientation program, and conducted it through accredited NGOs. The syllabus includes modules on health and sexuality, HIV/AIDS, self-defense techniques and other special information needs of women workers.

*c.* For overseas performing artists or entertainers, many of whom are women, a comprehensive orientation program for entertainers (COPE) aims to ensure job readiness of artists and to raise their awareness on their rights, health, illegal recruitment, trafficking, self-development, better career options.

17. Gender-responsive support system in host countries. Female Philippine Overseas Labor Officers and female welfare officers are posted in countries where there are large populations of Filipino women workers. Moreover, the Overseas Workers' Welfare Administration (OWWA) implements a number of programs for security and social protection of women and men OFW: on-site support, including repatriation assistance to distressed OFW and legal services; insurance coverage for all OFW who have paid the OWWA fee. Thousands of OFW have benefited from these programs. Article 11 presents a detailed discussion of government actions to protect overseas Filipino workers and other overseas Filipinos, including Filipino women marrying foreigners.

18. Interventions under FPW. Among the envisioned outcomes of FPW is the fulfillment of the rights of women OFW and trafficked women. In this connection, the government will continue implementing policies and other measures to protect OFW and other women workers and to prevent trafficking.

**On sex-disaggregation of data and measuring the effects of government policies and programs**

> *"The Committee suggested a strong need for developing gender-disaggregated data in all areas." (Paragraph 30) ... In order to facilitate the implementation of the Convention, the Committee recommended that monitoring mechanisms and indicators be developed to measure the effects of government policies and programmes."*

19. A key element of the government's gender mainstreaming approach is the development of a GAD Indicator System, which would (a) measure changes in the lives of women and the extent at which they enjoy their rights, (b) monitor progress in the implementation of the gender mainstreaming policy and (c) track specific gender issues like violence against women and women's unremunerated work. NCRFW and key government statistical organizations

collaborated to develop and put the system in place. These agencies are the National Statistical Coordination Board (NSCB), the policy making and coordinating body for statistics, the National Statistics Office (NSO), which conducts the major surveys and gathers key statistics, and the Statistical Research and Training Center (SRTC) which conducts statistical training programs. These agencies seek funds or use part of their agency budgets to produce key statistics and support activities for training statistical offices of line agencies and local governments.

20. Core GAD indicators. With a grant from the Canadian International Development Agency (CIDA), the NSCB and NSO publish fact sheets presenting sex-disaggregated data on selected indicators for population, employment, education, health and violence against women. A set of 32 core indicators of the status of women and women's enjoyment of their rights has been identified after consultations with government agencies and with civil society. The NSCB Executive Board issued a Resolution which obliges governn.ent statistical agencies to regularly collect/produce and disseminate sex-disaggregated data.

21. Gender Mainstreaming Evaluation Framework (GMEF). GMEF, an NCRFW publication cited in "A Guide to Gender Mainstreaming: How Far Have We Gone?" tracks the progress government agencies have made with gender mainstreaming, and provides the framework that could guide any agency in designing its gender mainstreaming strategy. Developed based on the decade-long experience of the Philippines in gender mainstreaming, GMEF systematizes what were once mere experiments and improvisations. It looks into the financial and human resources allotted for gender mainstreaming and gender-sensitive programs, projects and activities; and the overall capacity of the agency and its personnel for gender-responsive planning, implementation, monitoring and assessment. NCRFW uses GMEF to monitor compliance by government agencies on gender mainstreaming, including the policy to allocate five percent of agency budget for gender mainstreaming.

22. Tracking specific gender issues

a. NSCB coordinated the project to generate statistics on violence against women and children (VAWC). The project produced the following: (a) Glossary and related concepts to promote common understanding and interpretation of statistics on VAWC; (b) Statistical Handbook on VAWC containing data on the prevalence of VAWC; (c) Statistical Framework for VAWC envisioned to provide an efficient methodology to generate statistics; and (d) Assessment of the Existing Administrative Reporting System on VAWC, which provides a basis for integrating efforts among concerned agencies to ensure the generation of VAWC data on a regular basis. It seeks to systematize the manner with which the various government agencies collect and handle the records of victims or survivors of VAWC to ensure the tracking of the status of the cases across the system.

b. NSCB also developed the framework for integrating the full range of paid and unpaid work of men and women into the national income accounts. NSO pilot tested and finalized the design and instruments for a national time use survey in order to estimate the economic contributions of unpaid work. All these are consistent with regional initiatives to advocate the full integration of men and women's unpaid work into national policies.

23. Application at the local government levels. A Presidential Directive dated 4 September 1998 provides funding for provincial level sex-disaggregation of data. SRTC and the Population Commission designed a manual on the use of data for GAD planning and a core set of indicators for local-level gender-responsive population and development planning and monitoring.

24. In addition to coordinating and supporting the efforts of the Philippine Statistical System, NCRFW maintains its own information center, which offers key statistics and other information materials on the status of women and on laws, programs, projects, activities, and institutions addressing gender issues; keeps a computerized database of statistical and qualitative data, and publishes fact sheets on women and other special reports. NCRFW also helped create GAD Resource Centers (GRC) in other parts of the country to provide similar services. NCRFW also developed a gender responsive database in Compostela Valley, which can be referred to by other LGUs for their own mainstreaming efforts.

25. Interventions under FPW. The government plans to complete implementation of its gender and statistics program in order to monitor changes in the status of women and the fulfillment of their human rights.

a. Among the priority actions are: (i) the approval of the core GAD indicators by NSCB and the allocation of budget for its implementation, and (ii) the adoption through a presidential directive of the outputs of the project to generate statistics on violence against women and therefore its full and coordinated implementation by the Philippine National Police, the departments of health and social welfare, local governments, and NGOs.

b. The NSO, with the support of the National Economic and Development Authority (NEDA), NCRFW and women's organizations, are attempting to generate demand for data to measure the contribution of men and women's unpaid work to the economy. The expected result would be the allocation of a budget to implement the national time use survey.

c. The three key statistical agencies, together with NCRFW, plan to assist line agencies and local governments in adopting the GAD indicator system. Further efforts shall stress the regular use of the data in monitoring agency GAD Plans, as well as in gender analysis of national and local budgets.

d. To provide adequate feedback on the status and progress of its implementation, the FPW has a monitoring and evaluation system that brings together initiatives in monitoring gender policies and programs with the mainstream monitoring and evaluation system of government. The system is designed to generate information at the input, output, outcome and impact level.

**On gender discrimination of laws on prostitution and alternative job opportunities for women**

> *"The Committee commented on the discriminatory application of the laws against prostitution which are enforced against sex workers and not the men involved as traffickers, pimps and clients, and noted further that forced medical examinations of the women without similar attention to male clients is not effective as a public health measure. (Paragraph 19) ... The Committee recommended that appropriate measures for dealing with prostitution should focus on penalizing traffickers and creating alternative job opportunities for women." (Paragraph 26)*

26. The Philippine government, with the strong support of the women's movement, succeeded in getting Congress to pass the Anti-Trafficking in Persons Act of 2003 (RA 9208). Approved in May 2003, it is a comprehensive law that institute policies to eliminate trafficking in persons especially women and children, establishes the necessary institutional mechanisms for the protection and support of trafficked persons, and sets sanctions and penalties to traffickers, to those who facilitate trafficking and to those who buy or engage the services of trafficked persons for prostitution. Its key features are discussed under Article 6 of this report.

27. The social welfare department and a number of NGOs conduct programs to provide alternative employment for women in prostitution who choose to leave the trade, or are rescued from white slavery and sexual exploitation. NGOs take on the very critical role of organizing the women, informing them of their rights and providing them with legal and counseling services.

28. Interventions under FPW. The government continues to seek the passage of an anti-prostitution bill that decriminalizes persons exploited in prostitution and redefines prostitution as the victimization of persons, "whether woman, man or child for the sexual gratification, exploitation or pleasure of another in exchange of cash, profit or any other consideration." While the Anti-Trafficking Law views prostitution in the same way, the proposed anti-prostitution law considers "any act which promotes or facilitates the accomplishment of the said acts" as also constituting prostitution. The decriminalization of women in prostitution is consistent with the FPW objective of formulating and implementing "legislative measures that will eliminate gender bias." To aid the passage of the anti-prostitution bill and similar legislative measures, the government, with the support of other GAD advocates, has embarked on plans to initiate the following strategies and interventions.

    a. Strategies: (i) increasing the capability of local and national legislators in formulating relevant legislative GAD measures, (ii) aggressively soliciting legislative support for GAD, and (iii) strengthening women's groups to lobby for passage of legislative measures.

    b. Interventions: (i) conduct gender awareness seminars for members of the legislative bodies at various levels; (ii) establish or strengthen GAD focal points in legislative offices, (iii) review local ordinances and laws for possible gender bias and gaps, (iv) enact pro-women and gender-fair ordinances and laws, (v) conduct training on advocacy and lobbying for women's groups, (vi) establish or strengthen networks of government, NGOs and civil society for legislative advocacy, and (vii) generate public opinion on legislative proposals through the use of tri-media.

**On violence against women**

> *"The Committee expressed its deep concern about deficiencies in the legal system with regard to violence against women, in view of the fact that incest and domestic violence are not specifically penalized by the law and are surrounded with silence." (Paragraph 20)...*
> *"The Committee strongly urged the Government to enact appropriate legislation to combat violence against women and to compile the relevant data." (Paragraph 27)*

29. The adoption of the Anti-Violence against Women Act, including the Anti-Trafficking Act, were jointly committed by the executive and legislative branches of government during the National Socio-Economic Summit in 2001.

30. Also during the Summit, the president tasked NCRFW to strengthen its oversight function on violence against women (VAW). In this connection, NCRFW created the VAW Coordinating Committee (VAWCC), which is responsible for systematizing and synchronizing services and assistance to VAW victims and survivors, and for gathering data and systematizing data generation on VAW and domestic violence.

31. In the past two years, waging a 16-day campaign on gender-based violence resulted in the passage of laws penalizing violence against women such as Anti-Violence against Women and Their Children Act of 2004 and the Anti-Trafficking in Persons Act of 2003. The government also adopted laws penalizing rape and sexual assault in 1997, creating family courts (Family Courts Act of 1997), establishing crisis centers nationwide and providing assistance to and protection of rape victims and survivors (Rape Victims Assistance Act of 1998). Please see Article 6 for full discussion of the aforementioned laws.

32. Interventions under FPW. The FPW has the objective to "promote gender-responsive delivery of justice to VAW survivors."

    a. To achieve this, the FPW offers the following strategies: (i) developing or strengthening institutional mechanisms for VAW, (ii) enhancing gender sensitivity and responsiveness in the criminal justice system, (iii) putting up or upgrading existing facilities to become more women-friendly, and (iv) strengthening or expanding counseling and awareness-building program for victims and abusers.

    b. Meanwhile, the interventions include (i) advocacy for the passage of anti-VAW legislation; (ii) awareness raising sessions for court officials and staff; (iii) integration of gender principles in court protocols and standards for delivery of justice; (iv) upgrading or installation of survivor-sensitive facilities; (v) VAW counseling training and awareness sessions for community- and hospital-based counselors; (vi) capacity building program on gender-sensitive case handling for court social workers, judges and police; (vii) formation and capacity building of staff of Women's and Children's Protection Units in 44 hospitals; (viii) enhancement of the quality of services provided by Women's Desks at police stations and similar places; (ix) establishment of Rape Crisis Centers; and (x) setting up of standards for the humane treatment of women in detention and in especially difficult circumstances.

**On reproductive and sexual health services for all women in all regions**

> ***" The Committee regretted the decentralization of population and development services from the national to the local level, which had apparently resulted in the prohibition of contraceptives in one of the provinces, in contravention of the Convention (Articles 12 and 16(e))" (paragraph 21) The Committee recommended that reproductive and sexual health services, including family planning and contraception, be made available and accessible to all women in all regions." (Paragraph 28)***

33. In the context of decentralization, the national government carries out programs to build the capacity of local government units to deliver health services, including the full Reproductive Health Package (see Article 12 for details). With the help of overseas development assistance, the health department launched in January 2000 a five-year project that aims to capacitate local governments in undertaking comprehensive population, family planning, safe motherhood and child survival programs, as well as in developing family health packages for the local communities. Beginning in 2002, however, the President and the health department prioritized natural family planning. Nonetheless, local government units could implement their own family planning policies and programs.

34. A reproductive health indicator system has been designed in order to help local governments monitor the needs and conditions of their constituency. The Population Commission trains and supports the local governments install the system.

35. Proposed amendments to the Local Government Code include the creation of a permanent population officer post in every local government unit. They are still pending in the Legislature.

36. Bills on reproductive health care are also pending in the Legislature. The bills seek to improve the well-being of Filipinos by establishing an Integrated National Policy and Program on Reproductive Health that recognizes women's reproductive rights and gender equality and ensures universal access to reproductive health services, information and education. The bills also seek to extend the coverage of the National Health Insurance Program to a wider population, especially the poor, and to cover the full range of sexual and reproductive health services and products.

37. Interventions under FPW. The health and nutrition strategies are: (i) improving women's access to basic social services, including comprehensive women's health and nutrition; (ii) upgrading the quality of gender-responsive comprehensive health services for women across the life cycle, and (iii) raising the awareness of health and caring behavior among women.

38. The interventions focus on the key issues of population management and comprehensive women's health and nutrition and include: (i) advocacy campaigns and information drives, (ii) advocacy for local government policies and budget, and (iii) development of information, education and communication materials on population, comprehensive women's health and nutrition. They also include (iv) training of health givers to integrate quality of care standards and the core issues in their services, and (v) provision of basic health services, including

comprehensive women's health services, anchored on responsible parenthood; and (vi) improvement of food security to ensure women's health and nutrition.

**On the need to increase the participation of women in political and public life**

> *"The Committee noted further with concern that despite the increased participation of women in decision-making in the public sphere in NGOs, there was still a low representation of women in politics, top levels of government, and the judiciary." (Paragraph 22)*
>
> *"The Committee recommended that temporary special measures should be adapted to increase the participation of women in top-level decision making positions in the public sector." (Paragraph 29)*

39. NCRFW in partnership with various government and academic institutions conducted capability building activities for women local chief executives and local legislators. During the National Summit of Women Local Chief Executives and Councilors, the Manila Declaration was produced, which is a statement of commitment by the participants to promote women's participation in political decision-making.

40. As a Constitutional body with oversight powers over personnel matters in the public sector, the Civil Service Commission (CSC) issued a Memorandum Circular on Equal Representation of Women and Men in Third Level Positions (or the executive level). The target is to achieve 50-50 representation of either sex across the bureaucracy. The CSC enjoined government agencies to report regularly on the number of women nominated to third level positions, total number of positions held by women and total number of women appointees versus men appointees. As of 1999, women hold 34.8 percent of the third level posts in the bureaucracy.

41. RA 8551, or the National Police Commission and Philippine National Police Reorganization Act of 1998, articulates the national policy of granting equal opportunity for women in the police bodies, preventing sexual harassment in the workplace and prohibiting discrimination on the basis of gender and sexual orientation. The law specifies a ten percent quota for women in the annual recruitment, training and education programs of the Philippine National Police.

42. As discussed in Article 7, a number of Philippine laws that are directed at protecting the rights of marginalized sectors contain provisions that recognize the right of women in these sectors to participate in decision-making processes. Examples are the Indigenous People's Rights Act of 1997 (RA 8371), which mandates the representation of indigenous women in decision-making at all levels. The Social Reform and Poverty Alleviation Act (RA 8425) calls for the formation of councils for the targeted basic or marginalized sector, including women as a sector, and provides a seat for a sector representative for women at the National Anti-Poverty Commission. The Fisheries Law of 1998 (RA 8850) requires that seats be reserved for women in the municipal or city fisheries and coastal resource management council.

43. Pending in both houses of the Philippine Congress are bills that seek to provide temporary special measures. As noted in Article 4, among these are bills in support of the proposed Women's Empowerment Act, which seek to require a minimum of 30-percent representation of women in all decision-making positions in government, and House Bill No. 5708, "Gender Balance in Political Participation and Representation Act," which aims to progressively increase women's participation in elective and appointive posts to at least 33 percent and to reach 50 percent by 2012 at executive levels. The latter also seeks to require political parties to reserve for women at least one-third of its party slate of official candidates in national and local elections in order to be accredited by the Commission on Elections. These bills are not likely to be passed, as only a small minority of the legislators support it. Yet another proposed legislation is an enabling law on women's sector representation in local councils, which will make operational the women sector representation provision in the 1991 Local Government Code.

44. Interventions under FPW

a. The Framework Plan for Women reiterates government commitment "to enhance women's leadership roles and participation in decision making." (FPW Objective 3.2) The strategies to achieve this are two-pronged: (i) ensure equal representation of women in decision making process at the local, national and international levels; and (ii) promote gender-responsive management and transformative leadership. A number of measures are in place as indicated in Article 7 of the report.

b. Among the interventions are: (i) conduct of leadership training for women, (ii) advocacy for more women candidates in elections, (iii) provision of welfare support services for grassroots women who wish to enter politics, (iv) research focusing on best or useful practices and development of models of gender responsive management and leadership, (v) conduct of training on gender-responsive management and leadership, (vi) implementation of policy on women's representation in local councils, (vii) establishment of local machineries on women, and (viii) building of management capabilities of the local machineries on women.

45. As apparent in the previous paragraphs, the Government of the Republic of the Philippines has made great strides in responding to the comments of the UN CEDAW and in many areas covered by the Women's Convention. It is also evident, however, that the Philippines faces enormous challenges to sustain these gains and to address persistent as well as new challenges articulated in the succeeding parts of this report.

## PART TWO: SUMMARY OF PROGRESS MADE

### CONTEXT

### I. OVERALL POLITICAL, ECONOMIC, SOCIAL AND CULTURAL DEVELOPMENTS

46. The Philippine population was counted at 68.6 million in 1995 and 76.5 million in 2000 or an annual increase of more than 1.5 million Filipinos. The National Statistics Office projects the population to have reached 81.1 million in 2003 at an annual population growth rate of

2.36 percent over the five-year period. This rate remains one of the highest in the Asian region. Women comprised 49.6 percent of the population in both years (NSO 1995, 2000).

47. The country has a highly diverse population, including some 111 linguistic, cultural, and ethnic groups. Many of these groups are found in Mindanao, including the Manobo, Maguindanao, Maranao, Tausug, Samal, Subanon, Bila-an, and Bagobo. Together with migrants from Luzon and Visayas, Mindanao residents totaled 16.2 million in 1995, or 23.6 percent of the national population (NSO 1995). In 2000, they numbered about 18.1 million, or 23.7 of the total population (NSO 2000). The dominant religion is Roman Catholicism, the reported religion of more than 80 percent of the population. Protestants and Muslims make up 5 percent each. It must be noted, however, that there are differences among Christians and among Muslims, as between Christians and Muslims.

## Politics

48. Between 1996 and mid-2003, the Philippines had three presidents: Fidel V. Ramos (1992-1998), Joseph Estrada (1998-2000), and Gloria Macapagal-Arroyo (2001-2004). To respond to the needs of the poor, which constituted between 31 and 34 percent of the population, the three presidents launched anti-poverty programs.

49. A relatively peaceful election was held in 1998, which paved the way for a smooth transition of power. President Estrada was set to govern until 2004. Less than three years into his term, however, his administration was rocked by a scandal that triggered an impeachment trial by the Philippine Congress. The trial did not run its full course because of the public's growing distrust of the proceedings. A massive protest that culminated in a peaceful five-day "People Power II Revolution" (more commonly known as EDSA-II)[1] eventually pressured President Estrada to vacate the presidency. Vice President-elect Arroyo was sworn to office in 2001, marking the second time for the Philippines to have a woman president.

50. President Arroyo overhauled the cabinet. Compared to her predecessors, she appointed more women to key departments (budget, labor and employment, social welfare and science and technology) and other government agencies (Civil Service Commission, the Social Security System, the Presidential Commission on Good Government, and the National Anti-Poverty Commission).

51. The present administration's anti-poverty agenda has five major strategies: (1) asset reform; (2) delivery of human development services; (3) creation of employment and livelihood opportunities; (4) basic sector's participation in governance; and (5) social protection and security against violence.

Peace and order condition

52. The armed conflict in the Philippines, which has historical and structural roots, consists of sporadic battles between government forces and the Islamic separatist groups in the South and

[1]The first was in 1986, as cited in the 2nd periodic report of the Philippines to UN CEDAW. Like the first, the second People Power Revolution is known as EDSA II, after the long highway, Epifanio de los Santos Avenue (EDSA), where huge numbers of people converged during the "revolution."

the communist guerillas in other parts of the country.[2] Since the Aquino administration in the late 1980s, the national government has engaged in a series of peace talks with various rebel groups. Following the 1996 peace accord between the Ramos government and the Moro National Liberation Front (MNLF), the national government pursued the successful establishment of the Autonomous Region of Muslim Mindanao (ARMM), complete with its regional structures of governance and budget. The creation of the Special Zone for Peace and Development (SZOPAD) as a result of the Mindanao peace process attracted development aid and investment resources to the island. Building the capacity for governance, nurturing a culture of peace, and providing sustainable livelihood for the men and women of ARMM have been among the priorities of the support programs to the region. Peace, however, did not last long.

53. The 1996 peace accord and anti-crime campaigns of the government brought a few years of peace. Crime incidence fell from 1995 (112.8) through 1998 (97.8; NSCB 2003a). The secessionist Moro Islamic Liberation Front (MILF) and the Abu Sayaf, however, continued their armed struggle, with the latter engaging in highly publicized kidnap-for-ransom activities. These resulted in an escalation of conflict between the government and the MILF in the central Mindanao provinces, and with Abu Sayaf and other lawless groups in ARMM and other parts of Mindanao. A peace agreement was reached between the Arroyo government and the MILF. However, sporadic violence continued unabated in Central Mindanao where 12,500-strong MILF force is located. The situation worsened in February 2003 when the Philippine military, accusing the MILF of harboring members of the Pentagon kidnap gang, launched a new offensive.

*Impact of Armed Conflict*

54. Military clashes with the MILF and Abu Sayaf have inflicted hardships on civilians, particularly women and children who are unable to protect and defend themselves. The conflict in Mindanao resulted in the displacement of civilians from 7,224 in 1998 to 304,908 individuals (about 51,000 families) in 1999 (Ferrer, 2003). In 2000, the World Bank found that a total 456 barangays (almost 5 percent of the total barangays in Mindanao) and more than a million people were affected by the hostilities. Of these, half a million, many of them women and children, were displaced. Subsequently, the number of displaced persons decreased to at least 135,000 in 2001 and roughly 100,000 in 2002. Yet many are unwilling to return to their communities of origin because peace remains elusive.

55. Uncertainties with regard to the peace and order in many areas are leading to long and protracted evacuation. There have been many cases of families returning to their residences, only to re-evacuate with fresh encounters between government forces and the MILF. Damaged houses and lost livelihood are also forcing evacuees to stay in evacuation centers, where problems abound,

[2]The Philippines has been engaged in armed conflict since the 1960s with the Community Party of the Philippines-New Peoples' Army (CPP-NPA), and since the 1970s with the secessionist movements in the South, primarily the MNLF and the Moro Islamic Liberation Front (MILF). The MNLF first entered into peace talks with the government in 1976 and finally won autonomy for Muslim-dominated provinces in 1996. The MILF, which split from the MNLF in 1977, continues with its armed struggle for the long-term aim of creating an independent Islamic state. The Abu Sayaf (which means "Sword of God" in Arabic) is another armed separatist group that is being pursued by the government for its spate of criminal activities, mainly kidnap-for-ransom (Ferrer 2003).

including limited food supply, poor shelters and health and sanitation facilities, and lack of organized activities for children and adults.[3]

56. Women who are affected by the war against terrorism are unable to make their concerns heard because they are preoccupied with surviving the hardships brought on by the war or are not adequately represented in fora and panels. Moreover, the gender dimension of the conflict has rarely been raised, if ever, in peace negotiations and peace and development efforts.

57. A decade after the government negotiated peace with the Communist Party of the Philippines-New Peoples Army (CPP-NPA), dissident Communist armed groups were beginning to become active in many areas. Armed Communist groups were on the rise, from an estimated 7,670 in 1994 (but down from a high 25,000 in 1986) to 10,238 in 2001. Clashes between rebel groups and the military had resulted in civilian fatalities: about 63 in 1994, 191 in 2001 and 84 during the first semester of 2002 (Ferrer 2003).

*Crime Rate*

58. The overall peace and order situation appeared to worsen in 1999, when the crime rate (propelled by "non-index crimes[4]") rose to 110.5, before falling to 104.7 in 2000 and 98.8 in 2001 (NSCB 2003a). The increase in criminality in 1999 to 2001 could be traced to a jump in number of drug-related incidents, involving the arrest of 20,110 persons in 1999 and 18,367 in 2001, as compared to 2,722 arrests in 1998. Outside Mindanao, kidnapping for ransom (which was part of the "index crimes[5]") appeared to have been on a decline.

*Military Clashes*

59. Attempts of sections of the Philippine military to grab power, which occurred several times in the late 1980s to early 1990s, died down. That is, until 26 to 27 July 2003, when a group of junior military officers and enlisted men mutinied. Rumored and aborted coups, the continuing clashes between the military and rebel groups in Mindanao, terrorist bombings in Mindanao, and kidnapping for ransom by renegade groups have eroded investors' and tourists' confidence regarding the economic and political stability, compromising the attempts by government economic managers to lift the economy from the effects of the financial and economic crisis that hit the country in mid-1997. The peace and order problems have also caused the government to increase spending on military activities, which drained the government's meager resources and adversely affected the delivery of vital services to the poor.

<u>The economy and poverty</u>

60. The three presidencies covered by the period under review were committed to economic liberalization, macroeconomic stability, poverty alleviation or reduction, and people's participation in governance. The Ramos presidency, in particular, placed equal emphasis on people empowerment and global competitiveness, with its associated market-oriented agenda of economic liberalization. After 1998, the Estrada and Arroyo administrations promoted the

[3] Based on a joint assessment of the Philippines' National Economic and Development Authority and the United Nations Development Programme in 2000.

[4] Non-index crimes are all types of crimes not considered as index crimes.

[5] Index crimes are crimes which are sufficiently significant and regular to be meaningful and include the following: murder, physical injury, robbery, theft and rape.

modernization of agriculture and the fisheries sectors, comprehensive human development and anti-poverty, and good governance and the rule of law.

*Commitments to Trade Thrusts of Multilateral Organizations*

61. The Philippines is a member of multilateral trade organizations such as the Association of Southeast Asian Nations (ASEAN) Free Trade Area (AFTA), Asia Pacific Economic Cooperation (APEC) and the World Trade Organization (WTO), all of which promote reduction of trade and non-trade barriers among member countries. Commitments to WTO led to economic deregulation and trade liberalization more than at any time before the current period under review. These contributed to the robust economic growth, high employment rates, and low poverty incidence in the mid-1990s. The deregulation of the financial market, however, introduced volatility in the current accounts of the country's balance of payments, which made the Philippines vulnerable to speculative attacks on its currency, as happened in July 1997. Because of weaknesses in the country's macroeconomic fundamentals, the financial crisis degenerated into an economic crisis (Illo 1999, Lim 2000). The crisis sharply eroded the value of the peso vis-à-vis the US dollar, from PhP26.38 in 1997 to PhP51.40 in 2001, PhP53.10 in 2002, and about PhP55.57 by the end of 2003 (BSP 2004).

*Gross Domestic Product*

62. At the beginning of the period under review, the Philippine economy was at its peak, with its gross domestic product (GDP) growing at 5.8 percent, the highest in a decade (NSO 2002). In 1998, the height of the financial crisis, GDP contracted by 0.6 percent. It has since grown by more than 3.4 percent or more a year in 1999-2001, In 2002-2003, GDP was estimated to have risen by 4.5 percent (NSCB 2003b).

*Debt and Deficit*

63. The country's foreign debt has been growing relentlessly, from $30.6 billion in 1990 to $53.9 billion by the end of 2002. Since 1998 at least, the Philippine external debt has been at least 60 percent of its GNP and more than double its exports (ADB 2003). The debt burden continues to compromise the growth and anti-poverty programs of government, as interest payments are preempting an increasing share of the national budget.

64. Since 2000, the debt service fund has increased, such that by the end of 2002, it was 45 percent of the 2000 budget. In contrast, the budget for economic services contracted by 6 percent, and social services expanded by 9 percent. Only the defense budget registered a double-digit percentage change from the 2000 figure. It is interesting to note that for some years, the debt service fund was more than the country's deficit. The relative decline in the share of social services is likely to affect the amount of work women do in the unrecognized care economy, as they strive to provide for services that the government should have been offering (such as health and day care services).

*Poverty Incidence*

65. The poor economic performance and continuing political crises compromised the progress that was briefly experienced in 1996 and 1997, including the decline in income-poverty incidence among Filipino families between 1994 and 1997 (from 35.5 percent to 31.8 percent; BLES

2002).[6] In 2000, the poverty incidence rose to 34.2 percent (NSO 2003a). This translates to an additional 704,000 poor families in 2000 from the 1997 level or a total of 5.2 million poor families in 2000. Critics of government claim that the problem of poverty is in, fact, greater than this. Opinion polls that report self-rated poverty ratings place the poverty figure as 16 percentage points higher than the official figure. Using more than income as an indicator, the Philippine Human Poverty Index (HPI) puts the country among the upper third (less poor) of developing countries from 1998 to 2001 (UNDP/HDR, various years).

*Rural Poverty*

66. The situation in rural areas continues to be more serious than in urban areas. The drop in poverty incidence between 1994 and 1997 (47.0 percent to 44.4 percent) was completely negated, as the rural poverty incidence rose to 47.4 percent in 2000 (NSO 2003a). The Autonomous Region of Muslim Mindanao has the highest poverty rate at 57.3 percent in 1997 and 68.8 percent in 2000, a fact attributable to the chronic peace and order problem that plagues the region's economy. Poverty in rural areas remains a compelling force, which drives people to urban centers, causing housing, health and sanitation, and employment problems; or to other countries as migrant workers.

*Income Distribution*

67. Income distribution has been deteriorating since the 1980s. NSO reports that in 1994, the Gini coefficient was 0.45; it fell to 0.486 in 1997 and 0.482 in 2000 (cited in Reyes 2003).[7] During the period under review, the share in income of the poorest 30 percent was only about 8 percent while the richest ten percent had almost two-fifths of the total (39.3 percent in 1997 and 38.9 percent in 2000; NSO 2002). Improvements in income equity that could result from the land reform and poverty alleviation programs of the government have yet to be felt.

*Overseas Filipino Workers*

68. As noted above, the financial and economic crisis in the late 1990s and succeeding years of sluggish growth have contributed to the persistent poverty in the country. Philippine households have been protected from the worst effects of the crisis by the dollar remittances of overseas Filipino workers (OFW). In 1994, government deployed more than half a million OFWs to the Middle East and Europe (BLES 2002). Since then, the country has sent off an average of 218,200 new hires, 59 percent of whom are females (POEA, cited in Alcid 2002:108). They form part of the OFW deployed yearly by the government. From 795,000 in 1995, the OFW population rose to 1.01 million in 1997, dipped to 0.9 million in 1998 as a result of the crisis, but has risen again to reach 1.06 million in 2002 (NSO 2003b). Unlike in 1996, when women accounted for but 44 percent of all OFWs, since the crisis, they make up 46 to 49 percent. Accordingly, remittances from overseas workers increased from US$3.9 billion in 1995 to $5.7 billion in 1997, plummeted to $4.9 billion in 1998, but have since risen to $6.8 billion in 1999 and a lower $6.05 billion in 2000 (BLES 2002). These remittances accounted for more than

[6]The NSCB estimated the annual per capita poverty threshold or the amount required to meet an individual's food and non-food basic needs in 2000 at PhP13916, or US$315 (based on the Bangko Sentral ng Pilipinas [Central Bank of the Philippines] exchange rate then of PhP44.2 to US$1), or about PhP1160 ($26) per month. This means that a family of six should earn at least P6958 ($157) a month in order to satisfy the members' basic requirements.

[7]The Gini ratio as a measure of income inequality is the area between the income-distribution curve (Lorenz curve) and the diagonal (the line of perfect equality coefficient is a measure of the extent of income inequality). The closer to zero the Gini ratio or coefficient is, the more equal the distribution of income (BLES, n.d.:18)

5 percent of GDP during the period under review: rising from 6.2 percent of gross national income in 1997 to 8.1 percent in 2000 (BLES 2002 and WB 2003).

*Impact of Labor Migration*

69. While labor migration contributes to the Philippine economy, it exacts a heavy toll on society. More than ever, it is eroding certain Filipino values, such as the paramount importance given to family unity and the role of parents in shaping the character of their children. The migrants continue to face various problems in their countries of destination: nonpayment of salaries, and contract violations, to illegal detention and physical and sexual abuse, and the consequent psychological and emotional distress caused by separation from their families. They are also vulnerable to politics that can result to their expulsion, as experienced by Filipino migrants in Sabah, Malaysia in 2002.

70. The government has expended considerable efforts and resources to address these problems. It has set up welfare centers, undertaken bilateral negotiations with receiving countries, and lobbied for policy reform and programs for migrant workers at international forums. The Philippines has figured prominently in international and regional discussions (as in the UN, ASEAN, APEC) involving migration and trafficking in persons. It has likewise led in advocating programs and projects to heighten awareness on gender and development issues through training and capacity building for pertinent personnel in ASEAN and APEC.

71. Labor migration remains an attractive option to many workers, as the employment situation deteriorated during the period. Between 1999 and 2000 alone, the labor force participation rate dropped from 66.4 to 64.9 percent, due to perceived lack of job opportunities that discouraged people from looking for jobs.

*Employment in Agriculture, Industry and Service Sectors*

72. About one million jobs were lost in agriculture between 1996 and 2000, although 80 percent of these were recovered in 2001 (NSO 2002). Despite the resurgence recorded in the agricultural sector, the Philippines continues to move away from agriculture. From being a traditional net foreign exchange earner, agriculture had ceased to be a net earner by the 1990s. Natural disasters and low world prices for agricultural products combined to erode the potentials for growth of Philippine agriculture. Further, it continuously absorbed a continuously declining share of employment. In contrast, services remained the most important sector that contributes significantly to the Philippine economy and where women outnumbered men in terms of employment. Industry accounted for at least a third of the GDP, but its share of employment was a far third from services and agriculture. Reports of the labor department on employment in industry indicated that prior to the crisis, 889 establishments, involving 39,263 workers, resorted to closure and retrenchment. This almost tripled to 2,258 in 2000 affecting 67,624 employees. Small establishments (with less than 50 workers) were hardest hit, as they comprised half of those that retrenched workers or shut down (BLES 2002). Unemployment rate rose from 7.4 percent in 1996 to 9.6 percent in 1998, 10.1 percent in 2001 and 2002. Except in one or two years, female unemployment rate has been consistently higher than that of the male (NSO 2003c).

73. To address the persistent economic problems, the government convened in December 2001 the National Socio-Economic Summit, which forged an executive and legislative pact focusing on

measures to address the country's priority issues. These encompass the need to improve the peace and order situation, strengthen security and peaceful conflict resolution processes and mechanisms, put a speedy end to terrorism especially in Mindanao, and accelerate efforts to restore peace and order in that region; enhance the delivery of basic social services (including housing) and protection of the vulnerable sectors, especially the poor, displaced workers and women victims of violence; increase competitiveness, productivity and social equity in agriculture, industry and services; promote employment, workers' rights, social dialogue and industrial peace; and provide more efficient and effective governance and combat all forms of corruption; and ensure economic stability through sound macroeconomic management; maintain commitment to asset reform; and sustain and enhance continuing dialogue on development strategies, programs and paradigms.

Social and human conditions

74. After their successful ouster of a dictator in 1986, Filipinos have become more socially and politically vigilant and continue to take an active interest in the affairs of state. It has also shifted the stance of civil society organizations and the private sector from being merely cynical critics to that of critical collaborators towards more meaningful change. The second "people power" movement that pressured President Estrada to leave his office demonstrated this engagement.

*Information Communications and Technological (ICT) Developments*

75. Rapid technological developments particularly in the field of electronics communications and computer technology have enhanced Filipinos' connectedness with the rest of the world. The World Bank noted an increase in the circulation of newspapers, subscription or ownership of cellular phones, and Internet hosts between the mid-1990s and 1997/1999 (cited in Illo 2002a). More dramatic changes occurred between 1997 and 2000/2001, with fixed lines and mobile phones per 1000 population leaping from 47.2 to 124.4 in 2000 and 192.0 in 2001; personal computer ownership rising from 13.4 per 1000 population to 21.7 in 2001; and Internet users increasing dramatically from 100,000 to 1.5 million in 2000 and 2.0 million in 2001 (UNDP/HDR 2003, WB 2003). By 2003, cellular phone subscribers reportedly numbered 22 million, an increase by 9.4 million since 2001, while Internet subscribers reached 2.2 million, up from 500,000 in 2001 (SONA 2004).

76. Daily, Filipinos perceive contrasting images of poverty and prosperity, turbulence and peace, justice and inequity, indifference and active participation. There has been a growing number of computer schools, the inclusion of computer subjects in the elementary, secondary and tertiary educational levels (academic or vocational-technical degree) and the increasing number of Filipino professionals in computer, electronic and information technology. The cellular phone is no longer a luxury but a necessity for business and personal use. The second people power movement reportedly occurred due to the speedy communication afforded by the cellular phone. Moreover, Filipino consumption and lifestyle preferences have been influenced by their daily exposure to advertisements and cultures from around the world, and from relatives working abroad who send or bring home goods and new lifestyles. ICT development has its underside as it has also been extensively used in aid of pedophilia, trafficking and prostitution.

*Health and Nutrition*

77. As evident in the discussions in Article 12, major improvements were observed in health and nutrition. Official data on life expectancy, infant and child mortality and maternal mortality

showed improving trends. Female life expectancy rose from 70.1 years in 1995 to 72.5 years in 2003. The comparative figures for the males are 64.8 and 66.2 years. Maternal mortality rate fell from 209 deaths per 100,000 live births in 1990 to 180 in 1995 and 172 in 1998.[8] Mortality rates among infants and children dropped dramatically, with infant mortality and child mortality rates generally lower among girls than boys. However, health efforts were continuously challenged by rising cost of health services and drugs, low coverage of health insurance, high incidence of disease, increased prevalence of malnutrition and a rapidly growing population. Large variations in health status persisted across population groups, income classes and geographic areas. Drug addiction and violence against women are major concerns.

78. As discussed under Article 12, the program to help couples achieve their fertility goals and prepare individuals to become responsible parents in the future failed to bridge the gap between desired and actual family size. The program was beset by such problems as high unmet needs, low contraceptive use, limited male participation in reproductive health; increasing teen-age pregnancy and lack of sustained mechanisms for rural health and family planning services (MTPDP 2001-2004). From 1997 to 2000, more than 47 percent of women aged 15-49 used family planning methods (NSO 2003e). This increased in the following years, but remained low (49.5 percent in 2001 and 48.8 percent in 2002). Birth control pills continued to be the leading family planning method, used by 14.1 percent in 2001 to 15.3 percent in 2002 (NSO 2003f, 2003g).

*Education*

79. The Asian financial crisis and the El Niño phenomenon in 1997 sharply limited the access of poor families to education, particularly at the tertiary level where the government operates only 19 percent of tertiary schools, compared to 60 percent and 91 percent of schools at the secondary and elementary levels, respectively. Only 53 percent of high school graduates in 1997-1998 were able to go to college, and 75 percent of this number went to private colleges and universities. The same trend holds for other years. At the basic education level, school participation rate increased (ADB/WB 1999), except in school year 2000/01 when elementary participation rate fell to 96.8 percent from 97.0 the previous year (Reyes 2003). The growth rate post-crisis, however, was flatter than before the crisis. Data culled by the National Statistical Coordination Board show some differences in school performance of boys and girls as the level goes higher.

80. Some improvements in education and human resource development are apparent in the last few years, as noted in the assessment pertinent to Article 10. Government interventions in the sector centered on reforms to improve the efficiency of the education system, enhance the teaching-learning process and skills for competitiveness, and ensure equity in basic education. The thrust of the present educational program is toward increased accessibility of both formal and non-formal education, particularly tertiary education and vocational education training, to equip every Filipino with skills to cope with the new economic environment.

*Basic Social Services*

81. The government has been working to improve the delivery of basic services. As a result, there has been an slight increase in the percentage of all families with access to safe water (from

[8] 1990 and 1995 data on maternal, infant and child mortality rates were taken from the "Final Report of the TWG on Maternal and Child Mortality" (NSCB 1995), while the 1998 data were derived from the NSO 1998 National Demographic and Health Survey.

76.9 percent in 1997 to 78.5 percent in 2000), sanitary toilet facilities (74.9 percent in 1994, 77.2 percent in 1997 and 82.5 percent in 2000), and electricity (70.4 percent in 1997 and 75.4 percent in 2000; NSO 2003d). The cost of utilities, however, remains high despite legislation to curb it.

82. Problems in other services continue to abound, however. Housing shortage, for instance, remains acute. Between 1999-2004, it was estimated that total housing need would reach 3.3 million units, 1.1 million of which would form the backlog up to 1999 and 2.2 million would constitute the needs of new households to be created as a result of rapid population growth and household formation (NSO 2002:576). Moreover, with a considerable portion of the budget allocated to debt servicing, generation of jobs and preserving peace and order, government investments in social services are reduced.

*Human Development Index*[9]

83. The overall human development achievements of the Philippines have been fair. The country's human development index (HDI) has consistently risen over the past 25 years or so, but the rate of improvement has been slow relative to many countries (UNDP/HDR, various years). While rated as "medium human development country," the Philippines consistently ranked low. It was 67$^{th}$ out of 140 countries in 1995, 70$^{th}$ out of 162 in 1999, and then slid down to 77$^{th}$ out of 173 in 2000 and 85$^{th}$ out of 175 in 2001. Nonetheless, with respect to democratic governance, the country's scored 8 out of 10 in protection of civil liberties, political and an "exuberantly free press" (UNDP/HDR 2002). In 2001, it attained "near universal primary and secondary enrollment", no small feat considering the country's paucity of resources.

*Gender-related Development Index (GDI) and Gender Empowerment Index (GEM)*[10]

84. The Philippines ranked 35$^{th}$ out of 70 countries in the gender empowerment index, higher than Asian countries like Japan, Malaysia and Thailand. Meanwhile, the Philippines ranked 66 out of 144 countries in the gender development index.

Culture and gender norms and relations

85. Gender is an important social exclusion principle, resulting in gender-based discrimination. Cultural traditions differ among ethnic-religious groups. These are manifested in the following.[11]

a. Access to education. The Philippine Constitution enshrines the right of the child, boy and girl, to basic education, and mandates the State to provide free basic education to all. At the level of social and cultural practice, gender bias in educational investment is not systemic, and parents generally send all their children to school, if they can afford it. However, gender biases differ among cultural groups. For instance, lumad (indigenous peoples) and Muslim groups traditionally tend to favor sending or keeping their sons in school while keeping their daughters at home (Uy 1990). The Muslim struggle, however, has greatly affected the

[9] HDI is a composite index measuring average achievement in three basic dimensions of human development- a long and healthy life, knowledge and a decent standard of living.

[10] GDI is a composite index measuring average achievement in the three basic dimensions captured in the human development index- a long and healthy life, knowledge and a decent standard of living- adjusted to account for inequalities between men and women. GEM is a composite index measuring gender inequality in three basic dimensions of empowerment-economic participation and decision-making, political participation and decision making and power over economic resources.

[11] The succeeding subsections draw heavily from Illo (2002b).

education of young boys and men, who have been drawn to fight for one Muslim rebel group or another (Abitona 2002). Hence, while simple literacy rates among population 10 years or older in the other Philippine regions hover around 90 percent or more, that for the Autonomous Region of Muslim Mindanao is a low 74.5 percent, with male literacy rate (75.6 percent) exceeding that for females (71.4 years).

b. Property rights. While Philippine laws support gender equality in property rights, in practice, men are considered to be the major property owners. There is some evidence that propertied parents leave lands to sons but ensure the future of daughters by investing in their education (Quisumbing 1990). This enables men to gain access to higher, collateralized loans as it keeps women's access to credit limited to smaller loans. Moreover, although women are allowed by law to enter into contract without their spouse's signed agreement, many financial institutions continue to require the male partners' signature on contracts. In other parts of the country, too, customary laws prevail that traditionally discriminate against women and girls as indicated in Article 15.

c. Work and gender division of labor. In many places in the country, the responsibility of managing or running homes and ministering to family needs rests with women. Low wages and high costs of living have pushed many couples to work, with their earnings further supplemented by whatever their children can earn. In households with young children that require intensive care, women's home production time is at least double that of men (Illo 1997). Adding this to the hours worked by women in wage and/or market production activities results to the much-cited women's double work burden. Over the past decade or so, more and more urban couples have turned the care of their children over to province-based grandparents, contenting themselves simply with weekend visits. This arrangement has become necessary for households that could not afford domestic helpers and where couples are away from home from early morning to late evening, because of the worsening traffic conditions in the city. In some Muslim groups, women's mobility outside the home is constrained, thereby limiting their access to gainful occupation, including trade. The lower educational attainment of many Muslim and indigenous women also places severe constraints to high-wage jobs. Norms about gender division of labor are observed not only by households but also by firms and employers. This is apparent in the assignment of tasks at work and employers' preference for a particular sex for certain tasks.

d. Family size and control over women's body. The Philippines consistently registers a high population growth rate, much higher than neighboring countries. In a largely Catholic country, artificial contraception as a family planning or population management is a contentious issue, sometimes pitting the Catholic Church against the State. Family planning programs have generally focused on women's fertility and information campaigns are directed solely to women although decisions about contraception often rest on the male spouse. This programmatic flaw perpetuates a chain of events that affect women's labor force participation and employment: frequent pregnancies, large family size, and continuous demand on women's time for childcare. In recent years, the government has recently adopted the Catholic Church line, by promoting responsible parenthood and natural family planning, adversely affecting and retarding the country's family planning program.

# II. CHANGES IN THE STATUS OF WOMEN

Positive Developments

**Recognition of the role of women in the Philippine Constitution**

86. The recognition of the role of women in nation-building in the Philippine Constitution provides a strong basis for considering women as comprising a sector in themselves with the right to representation in various decision making bodies. Their inclusion among the marginalized sectors, together with other socio-economic groups like farmers, workers and indigenous peoples, qualifies them to run for the fifty (50) seats reserved for marginalized sectors in the House of Representatives. Women are also represented in such important Executive offices as the National Anti-Poverty Commission, which coordinates the program for reducing poverty. Other bodies that grant women reserved seats include the National Commission on Indigenous Peoples where women constitute two of the seven members of the board. Women are also represented in the Office of the Presidential Adviser on the Peace Process.

87. The same constitutional guarantee underpins the periodic formulation of plans for women, from the first plan, the Philippine Development Plan for Women 1989-1992, to the current one, the Framework Plan for Women. The allocation of at least five percent of the national budget to the implementation of these plans, annually, is another concrete benefit.

*Increasing Literacy, Maternal Mortality and Life Expectancy*

88. From 1996 to 2002, women in the Philippines had experienced improvements in areas such as health and education. Favorable changes occurred in literacy, school attendance and career options for women. Health indicators, such as maternal mortality and life expectancy, also showed positive trends. Government's increasing awareness of gender issues led to the issuance of policies and implementation of programs that were increasingly gender responsive. The integration of gender and development objectives into government plans and programs contributed to this positive change. Compared to other countries, the Philippine rating based on the gender-related development index (GDI) and gender empowerment measure (GEM) put the country in the upper half of the rated countries (UNDP/HDR, various years).

*Increasing Support Services for Women*

89. The implementation of RA 6972, which was passed in 1990, mandated the establishment of a day care center in every barangay. This resulted in the setting up of around 35,000 centers by 2000. As a support mechanism and a direct poverty-alleviating effort, day care centers have been criticized as providing very little time-off for women to really enable them to undertake gainful employment. But this is still a relief from childrearing, offering mothers time to do other things for themselves, if not for income-generation. The day care centers also afford pre-school children exposure to formal learning environment usually accessible only to those from middle and higher income families.

*Increasing Representation in Career Executive Service*

90. The CSC reports that in 2002, women held 1,148 Career Executive Service (CES) positions, including those designated as acting or office in charge, in constitutional agencies and national government agencies. This accounted for about 36 percent of the total filled-up CES positions.

In government-owned and controlled corporations, women occupied 963 or 43% of total filled-up CES positions. There were fewer women (1,056 or 37 percent of total) among CES-level appointees in constitutional agencies/national government agencies.

*Increasing Participation in Military Academy*

91. The opening up to women of fields that were previously the exclusive domains of men (such as military training and "hard" vocational and technical fields like welding, automotive and electronics) demonstrated that women could perform in these fields as well, if not better, than men. Of the 148 PMA graduates in 1997, 7 were women, one of whom garnered the highest honors. In the admission examinations for SY 1999-2000, a woman topped the exams with two others in the top ten. Their performance is a good indicator of their potential as leaders in the military service.

*Increasing Participation in Police Service and Academy*

92. Since the adoption of RA 8551 or the Philippine National Police Reform and Reorganization Act of 1998, the annual recruitment of women police officers has been above the prescribed 10-percent quota. Although it initially dropped from 15 percent in 1999 to 11 percent in 2000, it has since been rising. By 2002, women recruits accounted for 17 percent of total, mostly for junior officer positions. No woman police officer was hired for top-level positions (PNP 2002). However, the adoption in 1999 of an affirmative action program in the Police Academy made possible the lateral entry of women police officers into the command. From 1999 to 2002, a total of 1,781 women police officers, or 14 percent of total police officers, were hired (PNP 2002).

*More Measures Against Sexual Harassment in Ecozones*

93. PEZA reports plant-level implementation of RA 7877 or the Anti-Sexual Harassment Act of 1995 through the creation of Committee on Decorum and Investigation in 151 locator-enterprises and five in PEZA head office/zone offices. Anti-sexual harassment policies also included in nine enterprises while women's desks were created in three ecozones. However, a study has yet to be done on the impact of the committee in the ecozones.

*Expanding Gainful Employment and Skills Training*

94. The skills training program of the social welfare department regularly bore fruit. From June 1995 to June 1999, some 166,293 women benefited from skills training programs in 107 Productivity Skills Capability Building for Disadvantaged Women (PSCB) centers nationwide. Of these, 136,262 (or 82 percent of the trainees) were eventually absorbed in the labor force. In 2001, a total of 31,827 disadvantaged women were trained, of whom 87 percent became gainfully employed through open, self-employed, subcontracted trainers and other types of jobs. At TESDA, trained women welders had won prizes, besting male welders.

*Mainstreaming Gender at the National Level*

95. Assessment conducted by CIDA on its support showed that the Philippine government's gender mainstreaming strategy have produced results, among which are (Schalkwyk, 2002):

a. *Increased personal security through better handling of domestic violence at the community level.* NCRFW's initial discussions with the DILG on implementing a gender mainstreaming strategy focused on barangay-level responses to domestic violence. This included developing a barangay protocol on handling cases of domestic violence that aims to improve reporting and action on VAW cases, and crafting guidelines and technical assistance on domestic violence by barangay and DILG officials. Said protocol is being revised to align with recently passed anti-violence against women and children legislation. Such a collaborative effort between national agencies can have a significant impact, as DILG has the capacity to promote nation-wide implementation, training and monitoring.

b. *Increased economic opportunities for women in community forestry.* As a first step in its gender mainstreaming strategy, DENR focused on its community-based forestry program. Its approach included gender analysis of the participating communities and of the program itself. Subsequent changes in the program resulted in more stewardship contracts being awarded to women, thereby increasing women's control over forest resources. DENR also changed the criteria for selection of participating people's organizations. It trained the groups to ensure women's participation and decision-making in community livelihood projects. As this is a flagship program, a reorientation of direction could increase opportunities for women in many areas. Moreover, the positive experience with gender mainstreaming in this program provided the impetus for a reconsideration of the DENR's other programs.

c. *Increased access of women to resources of local agencies to meet local needs.* Over the years, the GAD budget policy has become the focus of intense lobbying by women's organizations, many actively working for its implementation. It has been a powerful instrument for women to negotiate with government agencies and local governments for better programs, projects and services. This is exemplified by the 70-member women's group in a village in Mindanao, which negotiated with the barangay officials for the group's accreditation as a legitimate organization, prepared a GAD plan and presented it to the barangay council. Funds released in the first year were used, in part, to convert the old village hall into a women's center, while funds in the second year went to livelihood training and the purchase of equipment for entrepreneurship. As a result of the process of consultations about the GAD budget, the women's organization has also secured a place in the decision-making and political processes of the barangay.

d. *Availability of periodic gender statistics.* This has been made possible by institutionalized policies in agencies and Philippine Statistical System to generate statistics on gender issues, increased generation and publication of statistics on women/gender issues for dissemination and utilization for training and researches and established and enhanced mechanisms for collaboration on gender issues and gender statistics (NCRFW 2002c).

*Mainstreaming Gender in Local Government*

96. Mainstreaming gender in local governments has gained momentum in the past decade. The enactment of GAD Codes by local governments helped. The Codes spelled out their vision of promoting, protecting and fulfilling women's rights and gender equality, and offered comprehensive interventions that respond to the practical and strategic gender needs of women and men (NCRFW 2001). Among the model GAD Codes are in Davao City (Ordinance No. 5004-1997), Cotabato Province (Ordinance No. 202-2000), Misamis Occidental Province (Ordinance No. 26-2000), Quezon Icty (Ordinance No. 1036-2001) and Angeles City (Ordinance

No. 634-1998). In Aklan Province, key interventions related to strengthening the Provincial GAD Coordinating Mechanism and advocacy with top local officials helped the province identify its priority gender issues and develop plans on such issues as reproductive health and violence against women. To date, about 30 LGUs have enacted such ordinances.

97. There are, however, certain areas that remained static or became worse than they were in the late 1990s.

Areas of Concern

*Political Participation of Women*

98. Women's political participation has not shown any significant progress, as women remained marginalized in the political arena.

*Poverty in Rural Areas*

99. The situation of women in rural areas is still an area of grave concern. While a number of policies and programs to alleviate poverty have been put in place especially in the countryside, gaps in implementation and the economic crisis being experienced in the country tend to obviate any possible benefits to women's condition.

*Unemployment Rate*

100. The poor state of the Philippine economy has driven people out of the country to search for job opportunities or to permanently settle abroad. Except for one or two years, female unemployment rate remains higher than that of the male. Overseas work is continuously being feminized as more and more women, married and unmarried, are forced to seek for better paying jobs. While bringing in dollars to prop up the sagging economy, overseas employment exposes women to dangers of trafficking, prostitution, sexual abuse and subjects them to cultural dislocation, social isolation in host countries, the emotional pain of separation from loved ones and family disintegration.

*Employment Conditions of Women Workers in Manufacturing Industries*

101. Concern is drawn to the economic situation of women in a period of globalization and the financial and economic crisis of the late 1990s. A number of women workers in industries such as garments and handicrafts were displaced, as local producers lost out to cheaper imports in the domestic market and cheaper exports of other countries in the global market.

*Informal Sector Workers*

102. The dire economic and employment conditions in the manufacturing industries forced many of these women to enter low paying, vulnerable and insecure jobs, and to join the informal sector, a hazardous, unprotected and mostly unregulated sector where workers are marginalized and have no access to amenities or support systems. The size of the informal sector has been placed between 52 percent and 85 percent,[12] with the decline that was noted from the 1980s to 1998 arrested briefly in 1999, as the sector slightly expanded from 51.0 percent to 51.7 percent (Yu 2001).

[12]The lower estimate pertains to the percentage of own-account and unpaid family workers to total number of employed workers based on the Labor Force Surveys, while the higher estimate is derived by getting the difference between the economy-wide employment data reported in the household labor force survey net of government employees and the establishment based employment data (Yu 2001).

103. According to the government's Institute of Labor Studies, the percentage of women in the informal sector rose from 39 percent in 1996 to 42 percent in 2001. Informal sector work enables women to combine their reproductive and productive work, productive tasks, in such livelihood activities as vending or hawking, operating small eateries or stores, laundry or sewing at home. In this sector, work is physically exhausting or uncomfortable and income is usually low or irregular. Work in the informal sector also perpetuates multiple burden of women.

## III. POLICY AND PROGRAM FRAMEWORK: GENDER AND DEVELOPMENT MAINSTREAMING

*Philippine Development Plan for Women*

104. In 1987, before the approach became the international norm, gender and development (GAD) mainstreaming was initiated by the Philippine Government. This was soon after the installation by People Power of Corazon C. Aquino as President. It began with influencing the Medium-term Philippine Development Plan (MTPDP), 1987-1992, with the inclusion of the phrase, "Women, who constitute half of the population, shall be effectively mobilized," in the plan's overall thrust of harnessing the country's human resources to reduce poverty, generate employment, promote social equity and justice and attain sustainable economic growth. This became the basis for the preparation and adoption of the Philippine Development Plan for Women (PDPW), 1989-1992, as companion plan of the MTPDP, 1987-1992. The National Commission on the Role of Filipino Women (NCRFW), which is the national machinery for women, worked closely with the National Economic and Development Authority (NEDA), the central planning agency, in coordinating the preparation and approval of PDPW.

*Philippine Plan for Gender-Responsive Development*

105. Realizing that the transformation of the socio-cultural as well as eco-political system would require time and a systematic approach, the government decided that the successor plan should have a thirty-year time frame. The Philippine Plan for Gender-Responsive Development (PPGD), 1995-2025, is a strategic plan that translated the Women's Convention and the Beijing Platform for Action into policies, strategies, programs and projects for Filipino women. Among the PPGD goals are women's empowerment and gender equality. As with PDPW, the formulation of the PPGD involved other government agencies and GAD advocates in non-government organizations and the academe.

*Framework Plan for Women*

106. A time slice of the PPGD, the Framework Plan for Women (FPW) pursues the twin goals of gender equality and women's empowerment. The FPW includes more specific, doable and results-focused programs and projects. It envisions development as "equitable, sustainable, free from violence, respectful of human rights, supportive of self-determination and the actualization of human potentials, and participatory and empowering." As mentioned in the earlier sections, FPW focused on three areas of concern. It also provides the standards and mechanisms to fulfill the country's commitments to international agreements such as the Women's Convention, the Beijing Platform for Action and the Beijing+5 Outcome document.

107. The FPW objectives in the economic empowerment issue are: to enhance sustainable access of women to capital, market, information, technology and technical assistance; to enhance

employment and livelihood skills of women, particularly in high value adding industries and agricultural activities; to establish an enabling environment that will ensure the implementation of policies for the protection of women workers; to increase awareness of women of their economic rights and opportunities; and to strengthen women's participation in economic decision making bodies.

108. Objectives related to the protection and fulfillment of women's human rights are: to enhance access to basic social services; to promote gender-responsive delivery of justice to VAW survivors; to formulate and implement legislative measures that will eliminate gender bias; and to promote and advance women's and girl-children's human rights.

109. FPW objectives for the promotion of gender-responsive governance are: to mainstream gender in the bureaucracy; to enhance women's leadership roles and participation in decision making; to strengthen women's role in promoting gender-responsive governance; and to strengthen partnership with media in covering various women's issues.

*Gender Mainstreaming Strategy*

110. Like the PDPW and PPGD, the FPW is being implemented through a gender mainstreaming strategy and in accordance with existing guidelines for the preparation of agency GAD plans and use of the gender budget. This strategy calls for the comprehensive integration of gender principles and concepts in the design, implementation, monitoring and evaluation of policies and programs. The key elements for a successful implementation of the gender mainstreaming strategy include: (a) sex-disaggregated data and statistics, (b) skills and opportunities to undertake gender analysis, (c) effective monitoring and evaluation of systems and tools, (d) national, sub-national and local structures with clearly-defined roles for leadership and support for gender mainstreaming, (e) effective communication, networks and linkages, (f) a skilled human resource base. (g) civil society participation, and (h) GAD budget.

*Gender and Development (GAD) Budget Policy*

111. Learning how PDPW implementation was held back by lack of budget, the Philippines introduced the GAD Budget Policy in 1995 to fund the implementation of the PPGD. A provision of the General Appropriations Acts (GAA) of that year, the policy required all government agencies to set aside a portion of the budget allocated by the Act for GAD programs, projects and activities to ensure that the goals and objectives of the PPGD are translated into agency plans and targets. Every year thereafter, the annual GAA provides that agencies submit a GAD Plan along with their annual agency budget proposals and allocate at least 5 percent of their total budget to GAD.

112. In the 1999 General Appropriations Act (GAA), NCRFW was given the authority to review agency GAD Plans prior to their endorsement for the approval of the DBM. Results of the NCRFW monitoring of the implementation of the GAD Budget Policy showed that in 1999, almost 40 percent of all government agencies prepared their respective GAD plans for which a total of PhP3.42 billion was allocated for their implementation (NCRFW 1999-2002). Three quarters of this amount was allocated for institution and capacity building in gender mainstreaming. Less than one fifth was set aside for the women beneficiaries of agencies and about four percent for the needs of their women employees. In 2000, 41 percent of all government agencies complied with the GAD budget provision with a total of PhP3.3 billion

allocated for GAD programs, projects and activities. A total of 214 local government units submitted their GAD plans with a total allocation for GAD programs, projects and activities amounting to P113.25 million. As of October 2001, 130 agencies had submitted their GAD plans and budget with a total GAD budget allocation of PhP2.8 billion. NCRFW has yet to conduct a thorough evaluation of the efficiency and effectiveness of the use of the GAD budget.

*Results of GAD Planning and Budgeting*

113. In almost eight years of implementation of GAD planning and budgeting, the following gains in addressing the concerns of Filipino women were noted (NCRFW 2002b). The GAD plans and budgets

a. Became the basis for women to lobby and negotiate with government for GAD programs, projects and activities, and adequate resource allocation;

b. Mainstreamed gender issues and concerns in government's resource allocation system;

c. Focused attention on GAD as a government agenda;

d. Forced agencies and local government units to look at the gender dimension and impact of their programs, projects and activities;

e. Clarified the roles of oversight agencies in gender mainstreaming;

f. Strengthened the NCRFW as the authority on women's concerns since it provides policy direction and technical assistance on the process, monitors implementation, and recommends measures to further improve it and make it responsive to women's needs; and

g. Served as a model for other marginalized sectors, such as the elderly, the differently-abled and the indigenous people on how to negotiate with government for resources to carry out specific programs for specific sectors.

# IV. REMAINING ISSUES AND OBSTACLES CONFRONTING FILIPINO WOMEN

114. As indicated in Part I of this report, there have indeed been significant developments in the Philippine effort to mobilize an increasing number of government and non-government institutions towards a more gender responsive society. These efforts are bearing fruits albeit at a gradual and steady pace. There are, however, bigger and more challenging tasks ahead. To date, the Philippines continues to struggle with a number of important women's issues, among which are:

a. *Massive poverty and inequality in the ownership of economic resources.* This refers mainly to the concentration of wealth among a few and the disparity in the situation of women in urban and rural areas (poverty, literacy, health, social support systems) as a result of uneven distribution of resources and opportunities and the devolution of functions without corresponding resources from central government to local governments. There is a continuing need for more effective poverty alleviation strategies to aid women living in poverty in urban and rural areas, including women in the informal sector who are known to suffer from lack of support systems (such as social security and health insurance) for both their productive and reproductive work.

b. *Effects of globalization.* Globalization closely relates to the issue of trafficking and prostitution of women, vulnerabilities of women migrants, the informalization and flexibilization of work, and the marginalization of women workers. Concern is also raised on the threat posed by a global media as a new avenue for further exploitation of women.

c. *Persistent peace and order problems.* As noted above and in Article 6, the impact on civilians (particularly women and children) of crimes and the government's war against rebel forces and terrorist organizations require immediate and serious attention. Women should be involved in peace building and in rehabilitation of their communities and their livelihood and access to basic services assured.

d. *Continued gender bias in various institutions.* Despite some progress made in introducing gender-fair curricula and materials in schools, the educational system continues to promote gender role stereotypes. There is a need to eliminate stereotypes and sexism not only in schools but also in such social institutions as the church, political system, and the media. They should offer broader options and more positive roles for women and men, such as joint parenting, non-traditional skills and livelihoods, women's reproductive rights, and non-violent ways of handling conflicts.

e. *Strengthening the role of the media in promoting women's issues* – This would involve sensitizing women media practitioners to the important roles they play in highlighting women's issues vis-à-vis other human-related issues, and setting up a database to determine the extent to which trimedia advertisements portray women in sexist, demeaning and stereotypical roles.

f. *Integrated Response to Women's Concerns in the Workplace.* The threats to women of HIV/AIDS and sexual harassment in the workplace need urgent attention.

g. *Lack of critical mass of women in top level and decision-making positions.* As discussed especially under Articles 7 and 8, women's low representation in positions of power ties up with the need for more effective measures to eliminate gender biases still evident among women and among those who recommend and approve appointments. It is also related to a need to train women for decision-making posts, encourage women voters to elect men and women who support women's empowerment and gender equality, and sustain the political agenda and parties of women.

h. *Need to strengthen the national machinery for women with increasing demand for technical assistance and monitoring initiatives and gains at national and local level.* There is a need to strengthen the NCRFW mandate, organizational structure and budget and elevate it to cabinet level to enable it to respond more effectively to the increasing challenges posed by gender mainstreaming in all branches and levels of government, policy advocacy, and monitoring.

i. *Enforcement and monitoring of gender equality legislation.* Although some laws, like the decriminalization of women in prostitution, need to be passed, the Philippines has made great progress in enacting laws and putting in place policies that promote gender equality

in access to resources and that address various forms of gender-based violence. The continuing challenge lies in the enforcement and monitoring of these laws and policies.

j. *Monitoring of the status of women.* This presupposes the existence or availability of sex-disaggregated data and gender-related information at the lowest administrative level possible and across various socioeconomic variables. The country has initiated some measures, such as the refinement of a GAD indicator system, the issuance of a policy to allocate funding for the generation of sex-based data and the delineation of the roles of national oversight agencies in the monitoring of GAD concerns. The challenge is the application of these frameworks and implementation of policies to generate data on the prevalence of violence against women and children, quantify the economic contribution of women including measurement of unpaid work, and generate statistics on the informal sector. These would require additional resources from government. There is also a need to sensitize and orient data users and producers from key sectors to effectively use and analyze gender statistics currently being generated by the statistical system. Further, there is a need to capacitate all key players on the roles in monitoring the status of women. The remaining task is the development of a comprehensive monitoring framework to cover most areas of concern and thereby address the clamor of government agencies to synchronize all reporting and monitoring activities into one.

k. *Limited government resources and inefficiency and corruption in government.* This affects not only the GAD budgets but also the allocation of resources to economic and social sectors that could provide public goods (health, nutrition, education) and employment. An issue that needs to be addressed is lack of commitment and political will to implement the GAD budget among government officials at the national and local levels.

## PART THREE: REPORTS ON EACH ARTICLE OF THE CONVENTION

### Article 1
### Definition of Discrimination against Women

**Guarantee in the constitution of equality of women and men; laws or policy statements that define discrimination; legal definition of discrimination broad enough to cover practices not intending to discriminate but are discriminatory in effect**

115. Article II, Section 14, of the 1987 Constitution provides that "The State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men." Also, Article XIII Section 14 guarantees working women the right to safe and healthy working conditions, taking into account their maternal functions. Other specific provisions that guarantee women's rights are Article VI, Sec. 5(2), which upholds the right of women to sectoral representation in national and local legislative bodies, and Article IV, which grants them equal citizenship rights.

## A. ACTIONS TAKEN

116. The Philippines has adopted laws to correct the historical disadvantages of women in various aspects of life. These include laws prohibiting discrimination in employment, removing obstacles to women's entry into the police and the military, and criminalizing sexual harassment in educational and training environment and in the workplace.

117. Over this reporting period, a number of legislation addressing violence against women and related discrimination were passed. These are:

a. RA 8353, or the Anti-Rape Law of 1997, which redefines and expands rape from being a crime against chastity to being a crime against person. It expands the definition to include not just penile penetration but also insertion of any object. It recognizes implicitly marital rape when it refers to cases where the offender is the legal husband. However, it extinguishes criminal action or penalty if the wife victim subsequently forgives the offender.

b. RA 8505, or the Rape Victim Assistance and Protection Act of 1998, which establishes rape crisis centers in every province and municipality, to provide counseling, free legal assistance and ensure the privacy and safety of rape survivors. It also tasks government to train law enforcement officers, public prosecutors, lawyers, medico-legal officers, social workers and barangay officials on human rights and responsibilities, gender sensitivity and legal management of rape cases. The DSWD is convening an inter-agency committee for the implementation of the law.

c. RA 9208, or the Anti-Trafficking in Persons Act of 2003, which, is discussed in greater detail under Article 6, establishes policies, necessary institutional mechanisms, and sanctions and penalties to traffickers and the like so as to eliminate trafficking in persons, especially women and children, and protect and support trafficked persons.

d. RA 9262 or the Anti-Violence Against Women and their Children Act of 2004, which is also discussed in Article 6, aims to protect women and their children from physical, psychological and economic abuses in the context of marital, dating or common-law relationships.

118. Other laws and policy statements addressing the effects of discrimination, even if unintended, are reported under relevant articles.

## B. REMAINING ISSUES AND OBSTACLES

119. A legal definition of discrimination against women that is aligned with the definition in Article 1 of the Women's Convention has not been put into law.

120. There is a need for wider awareness raising on what constitutes discrimination against women, what is implied by *de facto* equality between men and women and what forms part of the obligations of the State as well as private individuals and organizations to respect, protect and fulfill the human rights of women. The target should include not only agents of the State—from legislators to law enforcers and program implementers—but also the citizenry or claimants of rights who are both men and women from across the various socio-economic groups.

## Article 2
## Obligations to Eliminate Discrimination

**Principle of equality of women and men in the constitution; adoption of appropriate legislative and other measures, including sanctions, prohibiting discrimination; establishment of legal protection of women; refraining from engaging in any discriminatory activities; modification or abolition of discriminatory laws, regulations, customs and practices; and repeal of discriminatory provisions in the penal law.**

### A. SITUATION OF WOMEN

121. The Family Code of 1987 removed many of the discriminatory provisions under the Civil Code (see Article 16, for details). However, it did not address anti-women bias in the area of marriage and family. Thus, Articles 333 and 334 of the Revised Penal Code continue to apply, which define sexual infidelity differently for men and women. A wife can be made criminally liable for mere adultery, while a husband will need to have committed concubinage. Discriminatory provisions also remain in the Code of Muslim Personal Laws and Customary Law. These keep Filipino women, regardless of ethnicity or religion, on an unequal status to men in marriage and in family relations.

122. The revised Labor Code bans discrimination in hiring, training and promotion, and the Anti-Sexual Harassment Act protect employed women and penalize these discriminatory acts. Court rulings strengthen these prohibitions (see paragraph 495 under Article 11 for examples).

123. A survey of 334 Filipino firms revealed that 17 percent had records of sexual harassment cases. The figure may be higher, however, as victims tend not to report the crime (DOLE 2002). Much remains to be done in terms of raising awareness, developing workplace policies and procedures, providing training to managers, and offering counseling to victims.

124. As evident in Part II and subsequent articles of the report, discrimination against women take more subtle forms: preference for men in job promotion and gender tracking in education and careers. Violence against women remains a serious issue although public education campaigns and community and police intervention are beginning to take effect.

### B. ACTIONS TAKEN

125. As also noted in Article 11, two new laws address the needs of disadvantaged sectors, benefiting women in particular. RA 8972, or the Solo Parents' Welfare Act of 2000, prohibits employers from discriminating against any solo parent, and mandates certain agencies to develop and implement a comprehensive program of social development and welfare services for solo parents and their children.

126. RA 8282, or the Social Security Act of 1997, expands coverage to self-employed persons, housewives, and household staff whose employer is required to remit and shoulder part of the contribution. Implementation of this law, however, remains low. CSC Omnibus Rule #16

Sections 13 and 14 (as contained in CSC Resolution 021420-2002) now provides maternity leave for unmarried women in government.

127. In an attempt to affect the cultural practices and norms on parenting, RA 8187, or the Paternity Leave Act of 1996, was passed (see also paragraph 364 under Article 11).

128. Measures introduced during the period of review are: Proclamation No. 731 of 5 February 1996, declaring the second week of February as National Awareness Week for the Prevention of Child Sexual Abuse and Exploitation; Proclamation No. 759 of 6 March 1996 declaring the fourth week of March 1996 as protection and gender-fair treatment of the girl child week; Proclamation No. 976 of 25 February 1997 declaring the period January to December 1997 as Anti-Migrant Trafficking Year; and Presidential Directive of 5 February 1997 entitled "Call to Action Against Domestic Violence."

129. Besides the Women's Convention, the Philippines is a State Party to other human rights conventions and treaties, such as the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child including the two Optional Protocols, and the International Convention on the Protection of the Rights of All Migrant Workers.

130. The Philippine Commission on Human Rights (PCHR), a constitutional body, monitors the implementation of these conventions and national policies on human rights. It also issues policies such as the Advisory dated 20 July 1999 which required pertinent government agencies to look into the welfare of detained persons including women and juvenile offenders. On 31 October 2001, it issued a policy on "Sexual Abuse and Torture of Women in Custody," instructing the same agencies and the national police and the Armed Forces to look into human rights violations committed against women in custody; to implement specific measures that will protect the rights of female detainees against rape, sexual abuse or torture, as well as threats, reprisals or any other form of intimidation; and to recruit an adequate number of women police officers to specialize in VAW cases. Moreover, the PCHR prepared a Philippine Human Rights Plan, which has a section devoted to women's human rights.

## C. PROGRAMS AND SOME RESULTS

***Measures to Protect Women's Human Rights***

131. PCHR includes a module on women's rights in its regular human rights training or advocacy courses for the police, military and other groups; conducts seminars for NGOs and government agencies to promote cooperation in its human rights programs; and runs gender sensitivity training for its national and regional officers and personnel. It also investigates complaints of human rights violations and provides legal assistance to complainants. To bring its services to the grassroots and urge women to file complaints, it created *barangay* human rights action centers in 14,940 villages, and forged agreements with the justice department and volunteer lawyer groups for speedy legal services to victims. The centers receive complaints of human rights violations, monitor the progress of the cases and refer them to the PCHR regional field offices. From 1995 to June 2001, PCHR investigated 377 cases of violation of women's human rights. The complaints ranged from murder/homicide/execution (8.5 percent), illegal

arrest/detention (6.3 percent) to disappearance (0.5 percent) and complaints (8.5 percent). The perpetrators were identified as police officers (31.0 percent), local officials or employees (13.0 percent), civilians (12.0 percent), and military personnel (11.0 percent).

**Monitoring Sexual Harassment**

132. The Civil Service Commission, the labor department, and trade unions and NGOs have been active in the anti-sexual harassment campaign (see paragraphs 373 and 375 under Article 11 for details). By end of 2002, a trade union group has received the following reports from 259 unions and firms: the creation of a Committee on Decorum and Investigation and/or formulation of their anti-sexual harassment policy; investigation of 432 cases by the committee and formalization of 20 complaints; and inclusion of the issue of sexual harassment in eight collective Bargaining Agreements.

**Raising Awareness on Women's Human Rights in Government**

133. Based on the 2001 Gender and Development (GAD) Accomplishment Reports of agencies, nearly 30 percent of the implemented GAD activities focused on capability building activities for agency personnel. Some of these activities take the form of exposure or attendance to GAD-related activities and celebrations such as the Women's Month celebrations, symposia and fora. Awareness-raising sessions such as GAD orientations and gender sensitivity training (GST) were also conducted for personnel and top level officers of the agencies. Through these activities, agency personnel and officers develop awareness and a clear understanding of gender issues and GAD concepts. The awareness also helps them to better appreciate the concerns of women in the sectors they serve.

Women in Detention

134. In response to the problem of the growing number of female and youth detainees and lack of separate detention cells, the Bureau of Jail and Management Penology is constructing separate cells for female and minor offenders. Likewise, Quezon City, a local government city in Metro Manila, has a female dormitory that confines women offenders in the city.

135. Because of the risks of youth being influenced by adult offenders, separate cells for minors are maintained in some jails. In fact, there are already two youth centers-"The Molave Youth Homes" in Quezon City and "Operation Second Chance" in Region 7- that confine children offenders. These centers offer the developmental needs of youth offenders. Programs like sports and therapeutic community modality are only among the activities that youth offenders could engage in.

## D. REMAINING ISSUES AND OBSTACLES

136. While the Anti-Sexual Harassment Law is a major step forward for the legal protection of women, it has a number of deficiencies that need to be corrected, such as:

a. Absence of penalty to private organizations that fail to comply with the requirement to promulgate a policy prohibiting sexual harassment and establish complaint mechanisms.

b. Limited coverage to the workplace and education or training environment, excluding other venues of where sexual harassment can be committed such as in hospitals, among others.

c. Need for an essential element of "authority, influence, or moral ascendancy" on the part of the person committing the act for the crime of sexual harassment to be committed.

137. Monitoring of the aforementioned law remains a problem. There is no clear provision for the monitoring the implementation of the law in the private sector.

## Article 3
## The Development and Advancement of Women

**Undertake all appropriate measures to ensure the full development and advancement of women in all fields, particularly political, economic, social and cultural fields**

### A. SITUATION OF WOMEN

138. Majority of Filipino women continue to live in dire poverty due to social inequality, poor performance of the Philippine economy and gender discrimination. Women form a minority in the labor market, and suffer from many forms of subtle and overt discrimination in hiring and promotion and through sexual harassment. Women and their families in urban poor communities and in rural areas lack access to quality basic social services in health, training and education, and to decent housing, water and electricity. They are under-represented in decision-making bodies at all levels and branches of government. Sexual stereotypes persist and have spawned social problems, ranging from double standard of morality to crimes like rape, pornography, prostitution, trafficking, domestic violence and incest. Gaps in the condition and status of Filipino women and men continue in many fields, as evident in the discussions of succeeding Articles of the Women's Convention.

139. The sustained and focused advocacy by the NCRFW and women's groups for gender equality and women's empowerment has born fruit. Key laws have been passed and the development and advancement of women have entered the development agenda of government, from programs of poverty reduction to strategy for employment generation and economic growth. Women in government, especially the gender-sensitive women in middle and top-level positions in the planning, budget, civil service and human rights agencies, and the gender-sensitive men officials of departments, have made possible the gradual mainstreaming of gender equality goals into their agency policies, programs and budgets.

### B. ACTIONS TAKEN: STRENGTHENING GAD INSTITUTIONAL MECHANISMS

140. Recognizing that much of the discrimination experienced by Filipino women takes more subtle forms, the Philippine government puts high priority on the transformation of society's attitudes and values towards the recognition of the equal roles, rights and responsibilities of women and men. In this connection, it has adopted three development plans for women since 1989. The Philippine Development Plan for Women 1989-1992 recognized the shared responsibility of government agencies to implement programs for women's advancement. Agencies created GAD focal points to coordinate plan implementation and lead the capacity building of the

agency for gender mainstreaming. As of 2002, some 100 agencies had operational GAD focal points. Meanwhile, the Philippine Plan for Gender-Responsive Development (PPGD), 1995-1925, was deliberately long-term in perspective and was envisioned to inform medium-term plans, such as the Framework Plan for Women (FPW), whose objectives, programs and projects are set for a shorter period.

141. The Philippine GAD Budget Policy, enshrined in the annual budget law, requires the use of five (5) percent of every agency's budget to implement its plans under the PPGD and FPW. NCRFW, with the National Economic and Development Authority (NEDA) and the Department of Budget and Management (DBM), are tasked to monitor the implementation of the FPW and the budget policy. From 1999 to 2003, an average of 130 out of 335 national GAD plan submissions from departments and their attached agencies were received by NCRFW.

142. The National Commission on the Role of Filipino Women was strengthened in 1997. It was reorganized in line with its role in gender mainstreaming. Some 17 additional positions were created. At about the same time, the Canadian International Development Agency (CIDA) approved Phase 2 of the NCRFW Institutional Strengthening Project. This injected five million Canadian dollars, over five to nine years, into the very limited program budget of NCRFW. The additional staff and budget allowed NCRFW to pursue its program to build its capacity as well as those of key government oversight and implementing agencies and pilot local government units in specific areas:

a. NCRFW, as technical resource base for gender responsive policy analysis and development, project development and implementation, monitoring and evaluation.

b. The oversight agencies (NEDA, DBM, Department of Interior and Local Government [DILG], Civil Service Commission [CSC]) and the House of Representatives, to create an enabling environment for gender-responsive policy making, planning, human resource development and management in government.

c. Statistical agencies (National Statistics Office [NSO], National Statistical Coordination Board [NSCB] and Statistical Research and Training Center [SRTC]), for gender-responsive statistics.

d. Pilot agencies for specialized elements of an enabling environment for gender-responsive policies and programs: Department of Agriculture (DA), policy analysis and implementation down to the field level; Department of Trade and Industry (DTI), institutional capacity building for GAD; Department of Labor and Employment (DOLE), program-level gender-responsive monitoring and evaluation; Department of Environment and Natural Resources (DENR), field-level people's participation.

143. Among the important outputs of each agency's project component are handbooks, tools and manuals to guide the agency and the rest of the bureaucracy in their gender mainstreaming work:

a. Manual on Handling Sexual Harassment Cases in Government (CSC); Manual on Formulating Gender Responsive Development Plans (NEDA); Technical Assistance Package for GAD Planning and Budgeting for Local Government Units and Handling and

Prevention of Domestic Violence Cases at the Barangay Level (DILG); Gender Responsive Program of Instructions for the Philippine National Police–Basic Recruit Course and Basic Course (Philippine Public Safety College); Primer on GAD Plan and Budget for budget officials and personnel (DBM); Methodology for a national time-use survey (NSO); Training Manual on Statistics for Gender-Responsive Local Development Planning (SRTC); and Methodology to Generate Statistics on Violence Against Women and Children (NSCB).

b. Tools produced by the health department to guide its personnel in the implementation of gender-responsive programs and projects include gender and health training module for health workers, protocol for medical management of women and children survivors of violence, protocol for reproductive health service, gender-sensitive primary healthcare training modules, and gender-sensitive standards for quality health service.

c. The social welfare department's set of training modules on GAD, notably a training module on GAD for integration in the training programs of the department, training module for prosecutors and police officers in handling and management of women and children victims of abuse and exploitation, and a training module on gender mainstreaming and rights-based programming.

d. The Population Commission's "An Analytical Framework on Gender Responsive Population Policy with Reproductive Health Perspectives" and an "Advocacy and Training Manual on Basic Concepts of Gender Equality and Reproductive Health for Population Program Workers."

e. NCRFW tools that could be used by agencies: Handbook on GAD Training for Government Agencies which include the GAD dictionary, Gender Mainstreaming Evaluation Framework, and Ways to Gender Responsive Organizations, among others.

144. As part of its thrust of developing gender-responsive organizations and plans, NCRFW provides technical assistance to government agencies and local governments. It also links with regional GAD Resource Centers to strengthen information exchange and networking among GAD advocates, faculty and researchers in the regions and to help build a resource base for training, research and technical assistance on GAD. As of 2003, there are eight active centers in five regions.

145. Other policy statements and mechanisms that are in place to promote the development and advancement of women include:

a. Executive Order No. 368, dated 5 September 1996, provides the implementing guidelines on the institutional arrangements to fast track the localization of the Social Reform Agenda (SRA) and to include the NCRFW in the membership of the Social Reform Council. The SRA is a package of interventions aimed to respond to the needs of the poor (including women and the informal sector) and integrate them into the mainstream of development.

b. Republic Act 8371, or the Indigenous Peoples Rights Act of 1997, includes provisions that affirm equal rights for men and women and provide measures to promote women's advancement, their full access to education, maternal and child care, health, nutrition, and

housing services, and training facilities and their representation in decision-making bodies for the sector at all levels.

c. Republic Act 8850, or the Fisheries Law of 1998, requires that women be included as members of municipality or city fisheries and aquatic resource management councils that implement the government's coastal resource management program.

146. Regional and local government institutional mechanisms on GAD were created, such as the one established in the Regional Development Council of Region 10, Provincial Commission on Women in Bulacan in Central Luzon, and GAD technical committees that are covered by local ordinances.

## C. REMAINING CHALLENGES AND OBSTACLES

147. *Commitment and political will to implement the GAD budget among government officials.* This is particularly evident among department secretaries, heads of agencies and top local executives. Because of their limited knowledge on the GAD budget and its purpose, there is also the tendency to resist the implementation of the policy and instead finance other projects. Moreover, there are no sanctions for those who do not comply with the GAD budget policy.

148. *Inadequate mechanism for monitoring progress.* There is a lot of progress in this regard. However, the remaining challenge is the full implementation or application of these indicators, frameworks and modalities in order to generate the much needed information on gender issues like prevalence of violence against women and children, quantifying the economic contribution of women including measurement of unpaid work, or statistics on the informal sector. There is also a need to sensitize and orient users and producers on key sectors to effectively use and analyze gender statistics currently being generated by the statistical system. The continuing task is the development of a comprehensive monitoring framework to cover most areas of concern and thereby address the clamor of government agencies to synchronize all reporting and monitoring activities into one.

149. *Institutional mechanisms on women.* The NCRFW Executive Director heads the Secretariat of the Board of Commissioners, but the Chairperson has overall responsibility of the Commission. The latter, however, is neither paid nor vested with legal authority. Without a cabinet rank, she has little access to cabinet-level decision-making, weakening the policy function of NCRFW. With the end of the CIDA project, the budget allocation of NCRFW will be inadequate. NCRFW structure and mandate should be strengthened and broadened and its budgetary allocation increased to enable it to meet its obligations as a policy group and oversight agency for women' empowerment and gender equality.

## Article 4
## Acceleration of Equality between Men and Women

### Adoption of temporary special measures to accelerate de facto equality, including measures aimed at protecting maternity

### A. SITUATION OF WOMEN

150. Gender inequality persists in Philippine society in all fields, whether political, economic or socio-cultural. The subtle nature of inequality, however, makes it more difficult to establish temporary special measures than in societies where discrimination is stark. Women's higher average educational attainment and their visibility in many public areas of life, including in government and in other professional and technical occupations, make debatable the need for such measures.

151. In Articles 132, 133 and 134, the Philippine Labor Code acknowledges maternity as a social function and accords women workers the right to a nursery in the workplace, maternity leave, separate toilet facilities for women and men, family planning services and at least a dressing room for women. These rights, however, are flagrantly violated in most workplaces. Studies have found that before women are hired in the economic zones, they are required to submit a doctor's certificate that they are not pregnant. Once hired, they have difficulty in availing of maternity leave. Certain companies have been reportedly violating the law on maternity benefits, but these have remained uninvestigated as women refuse to come out in the open for fear of losing their jobs.

152. Women workers in government have maternity benefits including maternity leave for full term delivery and miscarriage. Until 2002, it was granted only to married women. Leave is for 60 calendar days with full pay if the employee has rendered at least two years of service. Those with less than two years but have one year or more of service receive benefits computed proportionate to their length of service, while those with less than a year of service are granted 60 days with half pay. By 2003, CSC recognized the right of unmarried women to maternity leave, thus, they are now granted the same maternity leave given to married women.

### B. ACTIONS TAKEN

153. *Women's participation in decision-making*. Two policies are worth noting. These are:

a. Civil Service Commission Memorandum Circular No. 8 series of 1999 entitled "Policy on Equal Representation of Women and Men in Third Level Positions in Government" was issued to increase the number of women at the highest or executive level of career service. The CSC monitors the circular by enjoining agencies to report regularly the number of women nominees to vacant third level positions, total number of positions occupied by women and total number of women appointees versus men appointees.

b. The Indigenous Peoples Act of 1997 directs indigenous women to be represented in decision-making at all levels. Mechanisms for implementation, however, have yet to be put in place, although indigenous women are already being involved in efforts concerning

ancestral domains. Their participation as members of indigenous peoples' village councils is also being explored.

154. *Protection of maternity*. Philippine law provides that women in the private sector and public sector be granted maternity leave, whether married or unmarried. For unionized women workers in the private sector, their collective bargaining agreements (CBA) generally include certain maternity-related provisions, such as pregnant women being given flexible schedules, non-assignment to night shift, maternity loan, relief of heavy work load, exemption from wearing company uniform or provision of appropriate uniform during pregnancy, and granting of Social Security System maternity benefits in advance. Free pap smear is also provided for all women members as part of their CBA.

155. *Provision of support services for single parents.* RA 8972, or the Solo Parents' Welfare Act of 2000, mandates certain agencies to develop and implement a comprehensive program of social development and welfare services for solo parents and their children.

## C. REMAINING ISSUES AND CHALLENGES

156. *Women in politics and public life*. Gender stereotypes among voters, appointing authorities and women themselves should be eliminated, in order to open the political sphere to equal participation by men and women. There is a need to pass a law to address this concern. In the 12th Congress, House Bill No. 4704 and Senate Bills No. 387, 601 and 702 (otherwise known as the Women Empowerment Act) were drafted. Said bills seek to mandate 30-percent representation of women in decision-making positions in government and to reserve at least one-third of the total number of certain appointive positions in the national and local government to qualified women. In addition, it proposes that duly accredited political parties reserve at least one third of its party slate of official candidates to women, and that at least one third of scholarships, grants, fellowships and training in the national and local government agencies or units be reserved for qualified women.

# Article 5
# Sex Roles and Stereotyping

**Adoption of measures to modify socio-cultural patterns of conduct towards eliminating stereotyped roles for women and men; and ensuring sharing of responsibility in the upbringing and development of children**

## A. SITUATION OF WOMEN

157. Sex role stereotyping remains a stumbling block to women's full development. The institutions of socialization—home, school, media, church, even government—consciously and unconsciously adhere to beliefs and practices that restrict women's access to opportunities for personal development and for participation in the development of her community and society.

158. There is now a pool of prominent women journalists and media advocates who have been articulating gender issues and women's concerns in their columns, and projecting gender sensitivity and fair reportage or handling of women's issues and concerns in their crafting of sound bytes, messages in "advertorials/infomercials," and television documentaries. Women have carved out for themselves a career in the media profession. A number have become chief executive officers (CEOs), editors-in-chief, film directors, movie producers, and other posts previously enjoyed only by men. As of December 2003, women headed McCann-Erickson (CEO), Campaigns and Grey (President), Ad Board (Chairperson), Philippine Daily Inquirer (President and CEO), Manila Standard (Editor-in-chief), Center for Press Freedom and Responsibility (Executive Director), and the Philippine Center for Investigative Journalism (Executive Director). The following media organizations have woman vice presidents: Asian Institute for Journalism, and the leading broadcast networks, ABS-CBN and GMA-7.

159. However, the mass media continue to marginalize issues of gender inequality and discrimination, except for celebrated cases of women victims/survivors, and to portray women in limited, stereotyped and sexist roles.

160. Pornography remains a major problem with dire consequences in perpetuating sex stereotyping as well as rape and incest. Mail order bride continues despite the law (Republic Act 6955) banning it.

161. Some media practitioners are unaware that sexist language can significantly affect readers, viewers and listeners' perceptions of women. Homophobia, especially targeting lesbians, is perpetuated by mass media's treatment of homosexuality.

## *B. ACTIONS TAKEN*

Laws, policies and other government initiatives

162. *Combating pornography.* The Videogram Regulatory Board (VRB) issued Memorandum Circular No. 98-001 that aims to eradicate the showing of pornographic video of women in public transportation. Bills filed in the 12th Congress include Senate Bill 169, which explicitly prohibits advertising materials that degrade Filipino people, particularly women; and Senate Bills and House Bill 2037, which consider criminal the exploitation of women through pornography.

163. *Eliminating the business of mail order brides.* Various bills have been filed in the 12th Congress against the practice of advertising brides in the internet or email. These are intended to adapt RA 6955, or the Anti-Mail Order Bride Law, to the present internet age. The Anti-Trafficking in Persons Act of 2003 strengthened the Anti-Mail Order Bride Law by including in the list of unlawful acts of trafficking in persons such acts of matchmaking of "any Filipino woman to a foreign national for marriage for the purpose of acquiring, buying, offering or trading her to engage in prostitution, pornography sexual exploitation, forced labor, slavery, involuntary servitude and bondage."

164. *Improving children's programming and other children's rights issues in media.* Moves to achieve this include the passage of RA 8370, or Children's Television Act of 1997, which aims

to protect and promote their well-being by enhancing their overall development, taking into account their needs in the development of education, cultural, recreational policies and programs. It requires each broadcasting network to allot a minimum of 15 percent of daily total airtime for child-friendly shows. It also created the Children's Television Council, which is tasked to formulate plans and policies towards high quality locally produced children's television programming. Another law, RA 8296 of 1997, declares every second Sunday of December as National Children's Broadcasting Day and requires television and radio stations nationwide to allocate three hours airtime for children's programs. Meanwhile, Department Order 22 series of 1998 of the social welfare department prescribes guidelines for the media coverage of victims of abuse and exploitation, whether children, women or other disadvantaged sectors.

165. *Promoting shared and gender-fair parenting.* RA 8980 (Early Childhood Care and Development [ECCD] Act of 2000) promulgates a comprehensive policy and a national system for ECCD. It promotes the active involvement of parents and communities in providing the full range of health, nutrition, early education and social services programs to meet the basic needs of young children from birth to age six for their optimum growth and development. The implementation of this system is the responsibility of the national government, local governments, NGOs and private organizations. With the enactment and implementation of this law, raising a child is no longer solely the responsibility of mothers. The community, national and local government and other institutions are now assisting in providing for the basic holistic needs of young children.

166. The education, social welfare and tourism departments coordinated their efforts in mobilizing media in the campaign to promote and protect the rights of children. The social welfare department developed and disseminated appropriate materials for media use, and convened a forum on the portrayal of girl children in media during the Girl Child Week celebrations. In 1999, it also implemented street children rescue programs in 17 cities and municipalities in the National Capital Region, saving 726 street children and 19 street families who were then placed temporarily in centers managed by the department and its NGO partners. This project also provided 1,800 children with educational assistance.

167. The National Youth Commission organized a "Youthspeak" to reach a covenant with media practitioners to develop a more responsive media environment reflective of the youth's visions and aspirations and supportive of their well-being. Youthspeak reached over 100 students and youth leaders and media practitioners. The National Youth Commission also formed the *Bantay Cinema* Youth Network to serve as monitoring team in various localities.

168. Networking and advocacy among media practitioners in academe, government and private sector have begun making media more responsive to the country's development needs, women issues and gender concerns. They aimed to raise public consciousness and understanding of women's issues to such a level that people could be mobilized to take positive action to address the stereotyped and negative portrayal of women and girls in media. Examples of these efforts are:

    a. Dialogues and fora with women media practitioners from government, the private media and NGOs that were initiated by NCRFW to improve the coverage of women issues in the media;

b. Basic gender sensitivity briefings and seminars for media practitioners and members of media organizations and associations (broadcasters' association, advertising board and television networks) to promote a balanced and non-stereotyped image of women;

c. Production and dissemination of information education campaign materials on various women's concerns by the Philippine Information Agency, including a briefing module on women's rights that promote a balanced and non-stereotyped portrayal of women in media. Since 1995, it has been producing 30-second public service infomercials on its specific concerns. These are aired on the six major television networks and cable channels all over the country. The agency also integrated a briefing module on women's rights in all its training programs; and

d. The Media Guidelines on Media Reportage concerning women and children's issues and concerns is being drafted, with the active participation of the Kapisanan ng mga Brodkaster sa Pilipinas (Broadcasters' Association of the Philippines), print media, and the Ad Board. The continuing concern of women media practitioners and journalists to produce gender-sensitive materials is manifested in broadsheets, television programs, and advertising.

169. In terms of ensuring the sharing of responsibility in the upbringing and development of children, the social welfare department has undertaken a project called ERPAT or "Empowerment and Reaffirmation of Paternal Responsibilities" (also a Filipino colloquial for "father") that aims to develop the skills of fathers in childrearing and care giving. Part of a national program for training fathers to become trainers to other fathers in the community, it has trained a total of 186 fathers as trainers. NGOs have been engaged in this type of program in other areas.

***NGO and private sector efforts***

170. Women NGOs and alternative media groups have coalesced to strengthen their advocacy work in the media industry. Their efforts are as follows: Mediawatch, a network of individual women and women's groups, has produced slides and videos assessing the image of women in media, while advocates have written letters to the editor and opinion articles or columns, which called attention to the negative reporting and portrayal of women in media. Kalayaan, an NGO working against VAW, has staged mime-drama-musical projecting feminist views and values.

171. Media women continue in their efforts at highlighting women's news and issues and in linking with women's organizations, media-oriented NGOs and similar groups. In particular, the Philippine Center for Investigative Journalism (PCIJ) whose Executive Director was awarded the 2003 Ramon Magsaysay Award for Journalism continues its attempts to make mass media relevant in the current national situation. One of its projects seeks to create an environment of public opinion sensitive to women's health, gender, population and development issues. PCIJ trains women media practitioners to make them more gender-sensitive in their reporting of issues. Content analyses of newspapers and magazines are also being done to encourage policymakers to design appropriate measures to improve media coverage of women issues.

172. Women's groups and other NGOs are producing alternative media programs and undertaking other women and media projects. Some of these projects are: (a) a 24-episode television series by the Philippine Educational Theater Association (PETA) on grassroots people's issues and

experiences, six of which pertain to gender issues and concerns; (b) tri-media campaign by the Women's Media Circle for the empowerment of young women and girls, which includes a radio program that mixes music with interviews on health and empowerment issues (such as violence and teenage pregnancy), a supplement in one of the leading magazines and printing of publications on the same topics; and (c) multi-media discussion on women, religion and reproductive health by the Women's Feature Service (WFS) Philippines, a part of an international news agency reporting on development from the women's perspective with the objective to put women's issues in mainstream media. From 2000-2002, the WFS conducted a forum called "Body and Soul", radio and TV talk shows in Luzon, Visayas and Mindanao, and internet fora. With participants representing Muslims, Protestants and Catholics as well as health workers, NGOs, media, government and the academe, the fora tackled contentious topics, such as lesbianism, abortion, adolescent sexuality, family planning, condoms and AIDS, reproductive technology, media and religion, and divorce and family violence.

173. Since 1995, the Women's Media Circle has created programs discussing women's issues (such as "Body Talk" and reproductive health for adolescents and women) and gender and development over television (XYZ), radio (XYZone) and magazines (XYZine). Using the theater, the Philippine Educational Theater, an NGO, has staged in various parts of the country two plays on women's issues, where they encouraged the women and men in the audience to ask questions and share their experiences on situations in their life, in the family, in their place of employment, instances of sexual harassment, job discrimination, role stereotyping, and other gender issues.

174. Women advocates in media and a few advertising firms (such as McCann-Erickson and J&J companies) have begun portraying women in more positive ways. For example, a laundry soap advertisement expounds that women can perform roles other than being housewives. The product also contributes to a fund for women interested in small business. Infomercials during women's month are shown highlighting the significant roles of women in society. Meanwhile, TV programs, such as "By Demand," have featured segments on VAW, annulment of marriage, the informal sector and family law.

### *C. REMAINING ISSUES AND CHALLENGES*

175. Despite the initiatives and results outlined above, a lot more needs to be done. In terms of eliminating stereotyped roles of women and men, government must ensure that gender reforms in the educational system are continuously pursued through the review of textbooks, instructional materials and school curricula as to their gender-responsiveness. Gender-sensitive ideas (such as shared parenting, reproductive rights and non-violent forms of handling conflict) should be included in textbooks, materials and curricula. At the same time, teachers and school administrators in all levels need more training for a more gender sensitive approach to education so they can act as change agents in modifying socio-cultural patterns that are friendly to women and girl children.

176. There is also a need to have more government programs that will ensure and promote shared responsibility in the upbringing and development of children and more family-friendly policies and measures in organizations.

177. Media has the capacity to influence how people look at the world, and as such, must promote a balanced and non-stereotyped image of women and men. Such a view promotes women's greater participation, allowing women to freely practice their rights to free speech and expression, avail of new communication technologies, or become key decisionmakers in the news desk or production room.

178. The absence of a lead government agency or instrumentality responsible for policymaking and monitoring for women and media has adversely affected the government's ability to address gender issues in the media. Even without such agency, however, a positive media environment among media practitioners should be created. This would involve re-orienting/sensitizing women media practitioners on the important roles they play in highlighting women's issues vis-à-vis other human related issues, and setting up a database to determine the extent that tri-media advertisements portray women in sexist, demeaning and stereotypical roles.

179. The campaign to eliminate pornography, which perpetuates women as mere objects, is hampered by the lack of effective legislation against trafficking in pornographic materials and the absence of a government agency that is tasked to combat pornography on print. In the meantime, the interior and local government department is implementing an anti-pornography drive in cooperation with NGOs. However, a comprehensive approach to the problem of pornography is required, including an anti-pornography law. Pornography is linked to poverty, as it is viewed as a means of escape for those who are economically deprived. Cutthroat competition has encouraged the print media, the tabloids and the cinema in particular, to outsell each other by going into smut and pornography, perpetuating images of women and girls as rape victims and their bodies as commodities.

## Article 6
## Exploitation of Women

### Suppression of trafficking of women and exploitation of prostitution

### A. SITUATION OF WOMEN

***Trafficking in women and children***

180. A number of women who leave the country as entertainers, fiancées of foreign nationals, service workers, tourists or undocumented workers fall victim to organized criminal syndicates. Their undocumented or illegal status has kept them outside the protection of laws. From 1992 to December 2002, the Philippine Foreign Service establishments recorded 1,084 cases of human trafficking. Data reported is very low compared to the number of actual victims not reported. This may be attributed to the lack of a systematic monitoring mechanism on the movement of Filipino migrants. Women comprised 66 percent of the victims, of whom 18 percent had been forced into prostitution. The government repatriated 31 percent of the victims.

181. In 2000, the Philippine Center on Transnational Crime recorded 153 cases of illegal recruitment, illegal migration and human trafficking. The Commission for Filipinos Overseas

recommended the blacklisting of 9 foreign nationals involved in operating pen pal clubs or recruiting Filipino women for marriage to foreigners.

***Prostitution***

182. Poverty and the absence of alternative sources of income continued to push women into prostitution, where den operators and pimps exploited them. Customers and police officers contributed their share of violating the prostituted women's rights. Unscrupulous operators in the tourism and entertainment industries have used loopholes in laws to continue to exploit prostitution. The total number of prostituted women and children could not be ascertained, as it is considered illegal and perpetrators conduct their business clandestinely. But the estimates are staggering.

***Violence against women***

183. Violence against women persists, with the number of reported crimes rising between 2000 and 2002 before declining to 7,805 in 2003. The 2003 figure for VAW cases is 6 percent lower than that in 2000 and 13 percent lower than that in 2002. While probably the most gruesome, rape constitutes less than 13 percent of cases reported to the police. The more common remains to be physical abuse and wife battering.

184. Meanwhile, cases of violence against children numbered 7,303 in 2003, which is 15 percent less than those in 2000 and 8 percent lower than those in 2002. Of these cases, 46 percent were victims of rape, including incestuous rape (4 percent); 27 percent involved physical abuse, and 15 percent were acts of lasciviousness.[13] In 2002, for which data are available, three of six child victims were 12 to 17 years old; 25 percent were 6 to 11 years old. As with the women victims of violence, about half of the perpetrators of crimes against children were not related to the victims. In fact, many (31 percent) were total strangers to the child. Husbands accounted for 28 percent of VAW crimes, while close male relatives were responsible for 13 percent of the reported crimes of violence against children (NSCB 2003a).

***Violence against women in areas of armed conflict***

185. Civilians displaced from their homes due to armed conflict suffer in the evacuation centers due to poor living conditions, malnutrition and illness. Congestion, lack of food, poor sanitation and unavailability of medical facilities and supplies at evacuation centers have caused a rise in common illnesses such as diarrhea, dysentery and respiratory ailments which have resulted in deaths among evacuees. According to the social welfare department, most of the reported deaths due to illness in evacuation centers are children below 2 years old (www.inq7.net).

186. Some reports of violations of human rights of civilians — men, women and children — committed by the combatants in Mindanao:

a. In 1998, the Philippine Beijing Score Board (PBSB) reported that three women were raped under military custody, 717 families from four tribes were dislocated from their ancestral domain, 90 families of the Manobo tribe in Agusan del Sur had to give way to logging

[13] Based on the "Annual and Quarterly Comparative Statistics on Crimes Against Children (CY 1999-2003)" table provided by the PNP Women's and Children's Concerns Desk to NCRFW in March 2004.

operations, 8 Manobos (including 2 women and 3 children) were massacred by the Philippine military.

b. The Bangsa Moro Women's Organization reported that in 1999 a woman nearly had a spontaneous abortion after being frightened by soldiers conducting a warrantless search through every house in a village in Lake Sebu. This woman's village has disproportionately higher number of "widows and spinsters," as the men had perished in the war.

c. Amnesty International (2001) reported that in 2000, escalation of armed conflict in Central Mindanao led to the displacement of over 400,000 civilians amidst indiscriminate bombings and human rights violations by the Armed Forces of the Philippines (AFP).

d. Based on the records of evacuation centers managed by the social welfare department and NGOs, about 135,000 to 150,000 persons were displaced by conflict-related incidents from January to November 2001 in Mindanao. Majority of this were women and children.

187. The Philippine Human Rights Commission also recorded cases of violence against women in armed conflict. From 1980 to 1999, about 100 cases were documented as occurring in Regions II, VI, and IX.

## B. ACTIONS TAKEN

*Legislation and policies addressing trafficking of women and girl children*

188. On 26 May 2003, the Philippine president signed into law Republic Act 9208, or the Anti-Trafficking in Persons Act of 2003. Subsequently, the Inter-agency Council against Trafficking (IACAT) was formed. Its functions are spelled out in the law. The main features of the law are as follows.

a. It defines as criminal the acts of trafficking in persons, and acts to promote trafficking in persons. "Trafficking" covers a wide range of activities that are carried out for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage, removal or sale of organs regardless whether any of these happened in the country or abroad, or whether the victims are Filipino nationals or foreigners trafficked to the Philippines.

b. It redefines *prostitution*, from a crime committed by women only to "any act, transaction, scheme or design involving the *use of a person by another,* for sexual intercourse or lascivious conduct in exchange for money, profit or any other consideration" [emphasis ours], with the criminal liability assigned to those who promote it through trafficking in persons.

c. It sets penalties for various types of offenses related to trafficking. The stiffest sanctions (life imprisonment and a fine of up to PhP5 million) are reserved for any person found guilty if the trafficked person was a child, or the person trafficked died or incurred HIV-AIDS, or the offender was related to the victim or a member of the law enforcement units of the government. Fines are to be placed in a Trust Fund that will cover cost of implementing the mandatory programs under the law and other measures to prevent trafficking in persons and to rehabilitate and reintegrate victims to the mainstream of society.

d. It commits the State to provide mandatory services to trafficked persons, such as emergency shelter, counseling, free legal services, medical or psychological services, livelihood and skills training and educational assistance.

e. It gave various government agencies specific mandates and responsibilities. Among these agencies are: the foreign affairs department, which shall make available resources and facilities overseas for trafficked person; social welfare department to conduct rehabilitative and protective programs for trafficked persons; and labor department to ensure the strict implementation and compliance with the rules and guidelines relative to employment of persons locally and overseas.

189. The passage of the Anti-Trafficking in Persons Act of 2003 is an example of the combined advocacy of government agencies and inter-agency councils and the civil society groups that provided both technical inputs and political pressure.

190. At the end of 2003, the IACAT had completed the law's implementing rules and regulations (IRR), subjected these to a series of public consultations in Cebu, Davao, and Metro Manila, and published these in two leading newspapers. It had also begun the process of finalizing the National Strategic Action Plan to Address Trafficking in Persons that was prepared by the IACAT and other relevant agencies and NGOs during a strategic planning workshop held in November 2003, and started work on an orientation module on the law, including core messages on trafficking. The IACAT is likewise set to convene the inter-agency task force on international and local airports, seaports, and land transportation terminals.

191. The Philippines is also a State Party of a number of international instruments addressing trafficking and migration, including the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

192. On 24 October 2001, the Philippine Senate ratified the UN Convention Against Transnational Organized Crime and its Supplementary Protocols, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol Against the Smuggling of Migrants by Land, Air, and Sea. This opens opportunities for local agencies to link up with other countries in a global effort to fight trafficking in narcotics and other transnational crimes and to put a stop to the exploitation and trafficking of women and children.

193. Other measures taken by the Philippine government to address the problem of irregular migration include reinforcing the integrity of the Philippine passport, continuing the fight against illegal recruitment and monitoring departures of nationals and aliens. Such measures are implemented under the Philippine Passport Act of 1996, the Philippine Labor Code and certain provisions of the Immigration Act of 1940. Moreover, the social welfare department continues to require a permit whenever a minor travels with anyone other than both parents or guardian.

*Other measures to prevent trafficking in women and children*

194. After an alarming number of cases of trafficking in women surfaced in 1996, the government took measures to give immediate help to victims while designing and implementing a national

strategy to combat human trafficking. The foreign affairs department set up an information sharing system among concerned agencies, and led an effort of capability building and training for prevention, protection, prosecution, repatriation and rehabilitation as well as reintegration. A Presidential Memorandum created an interagency senior-level working group to develop the strategy. One of the results was the establishment, in 2000, of an Executive Council on the Suppression of Trafficking in Persons, particularly women and children. The council coordinates activities of all concerned government agencies and bodies toward more effective action against trafficking in persons.

195. The foreign affairs department and its diplomatic and consular offices abroad serve as the front line government agency in combating trafficking of women and children. The Office of the Undersecretary for Migrant Workers' Affairs (OUMWA) acts as the nerve center on matters related to assistance to Filipinos in distress overseas. Created by virtue of RA 8042 (The Migrant Workers and Overseas Filipinos Act of 1995), OUMWA coordinates the Philippine Foreign Service assistance to nationals.

196. Trafficking cases documented by the Philippine Foreign Service establishments are reported to the OUMWA with dispatch, with the view of immediately repatriating the victim(s) and alerting local authorities to the alleged recruiter or trafficker. Temporary refuge is given at the Filipino Workers' Resource Center, while appropriate representations are done with the employer and the labor ministries of the host country. The foreign affairs department, meanwhile, alerts the appropriate investigative bodies to the alleged recruiter and coordinates assistance for the victim upon arrival in Manila. Victims are assisted in filing appropriate charges against the suspected trafficker or recruiter.

197. The social welfare department is coming up with a reintegration project for trafficked victims particularly women and children. It provides counseling and therapy, as well as other support to enable them to live normal lives.

198. In January 1999, the Philippine Center on Transnational Crime (PCTC) was created and tasked to establish a shared central database among government agencies for information on criminals, arrests and convictions on various transnational crimes, including trafficking in human beings. Meanwhile, the Commission for Filipinos Overseas (CFO) has been conducting community education programs to raise public awareness on various migration issues, including trafficking in persons, illegal recruitment, intermarriages and overseas employment. It also provides information on service networks for migrants in distress.

199. The Philippine-Belgian pilot project against trafficking in women is a notable effort in bilateral cooperation. Implemented in the mid-1990s, the project included a cross-cultural legal research component, a preventive education component and a social assistance and health component. On the other hand, the initiative dubbed "Operation Tutok: Jordan" by the POEA is a good model in the country team approach. One of its efforts has been the negotiation for a memorandum of agreement related to the hiring of household workers bound for Jordan.

200. In February 2002, the Philippine government participated in the "First Regional Conference in People Smuggling, Trafficking in Persons and Related Transnational Crime" held in Bali, Indonesia. As a result, the President directed the foreign affairs department in March 2002 to

convene immediately and regularly the Senior Government Working Group (SGWG) on Human Trafficking and People Smuggling, composed of the following member-agencies: the justice, labor, interior and local government, social welfare, and tourism departments, the immigration bureau, CFO, PCTC, National Bureau of Investigation (NBI), and NCRFW. In preparing the national strategy to address people smuggling and human trafficking, the SGWG conducted an inventory of the current initiatives of government to address existing projects, particularly the Strategic Plan that the Coalition against Trafficking in Human Beings in the Philippines developed under the auspices of the UN Center for Transnational Crime Prevention. For the elements of the national strategy, the SGWG drew on the Asian Regional Initiative Against Trafficking of Women and Children (ARIAT) Plan of Action, the existing legislative anti-trafficking proposals, and the UN Protocol on Trafficking. The draft National Strategy to Combat Human Trafficking and People Smuggling was adopted by the SGWG through the signing of a covenant on 21 April 2003. However, the functions of the SGWG was adopted/transferred to the IACAT at the end of 2003.

NGO advocacy and programs

201. NGOs and civil society groups have been engaged in critical advocacy for legislation, research, and delivery of services, such as shelter and pre-departure training and counseling. They also set up multi-sector watch groups and educated the public about trafficking in human beings. All these are reflected in the activities of the Coalition Against Trafficking in Women in Asia Pacific (CATWAP), which has been working on the issue of trafficking for over a decade, both nationally and internationally. It has organized community-based programs to educate the youth and *barangay* (village) officials on trafficking in young women from vulnerable communities, such as those found in Samar, Zamboanga, and Sapang Palay in Manila. The coalition undertakes regular training programs on human rights, and has developed documentation systems on violence against women, especially trafficking. It works in partnership with more than 22 NGOs all over the Philippines to monitor incidents and the magnitude of trafficking. Among its members are WomenLEAD and SALIGAN, which provide legal assistance and advice to trafficked victims. With its international network of organizations and partners, the coalition has helped trafficking victims who returned to the country, particularly those from Japan and Korea. It is one of three NGOs nominated to sit in the IACAT, which is tasked by law to monitor and prevent trafficking in women and girls; the other two NGOs are the Philippine Migrant Rights Watch and End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes (ECPAT) Philippines. So far, only ECPAT has been appointed by the President to IACAT.

202. In partnership with the Philippine Ports Authority, the Visayan Forum Foundation, an NGO helping migrant child domestic workers, operates a halfway house in the Manila North harbor. It draws funding support from the Asia Foundation. The facility offers 24-hour services for victims of trafficking, especially women and children, such as emergency shelter; information assistance about travel, employment and possible support networks; quick referral of cases; telephone hotline counseling; regular outreach for stranded passengers; training and advocacy to port community members; and research and volunteer immersion. As of September 2001, the project had saved 255 from being trafficked for exploitative employment. The project partners are working towards the opening of halfway houses in other major ports in the country. In

addition to the management of the halfway house, the organization spearheaded the formation of the Multi-Sectoral Network Against Trafficking (MSNAT).

203. Civil society organizations have been engaged in critical advocacy for legislation and services, setting up multi-sector watch groups, information dissemination and pre-departure training and counseling, and shelter services. Notable are Kanlungan Centre Foundation Inc., an NGO that draws support from such organizations as the International Labor Organization, and the Trade Union Congress of the Philippines, which is implementing an anti-trafficking project.

204. ECPAT Philippines, is a member of a global network to protect children from commercial sexual exploitation. It has long been engaged in six activities: information drive, aimed at preventing more children from becoming victims of commercial sex exploiters; monitoring of sex exploiters and facilitation of their prosecution through casework; legal assistance and delivery of services to child victims; networking and advocacy; research and documentation; and child participation activities.

*Legislation and other measures addressing prostitution*

205. The interventions addressing prostitution and assisting women in prostitution have been discussed in paragraphs 26 to 28 in Part I, on actions taken on the CEDAW Concluding Comments on prostitution:

*Legislation and policies addressing violence against women*

206. In response to General Recommendation No. 19, the Philippines enacted two laws to address VAW, specifically, the twin laws on rape: RA 8353 (Anti-Rape Law) and RA 8505 (Rape-Victim Assistance and Protection Act). The IRR of RA 8505 has already been adopted. A study of these two laws by the Philippine Legislators' Committee on Population and Development Foundation found that lack of familial, institutional or societal support for the rape victim is a major drawback for the reporting of rape (Santos, Llarinas-Angeles and Ador 2001). It asserts that early gains could be lost if existing judicial doctrines are allowed to apply and if court procedures that force rape victims to re-live the crime when giving testimony are not changed.

207. On March 8, 2004, during the annual celebration of the International Women's Day, the President signed into law Republic Act 9262 or the Anti-Violence Against Women and Their Children Act (AVAWCA). This law aims to stem the high incidence of violence against women and criminalize perpetrators. It protects women and their children from physical, psychological and economic abuses in the context of marital, dating or common law relationship. The law also recognizes the "battered woman syndrome" (BWS) as a legal defense for women who suffered cumulative abuse and have been driven to defend themselves. The law provides for issuance of "protection orders" to stop violence and prevent recurrence of future violence.

208. Pursuant to RA 8505, the Department of Justice Memorandum No. 9 series of 1998 on the Guidelines on the Handling of Rape Cases Involving Adult Victims was adopted. The policy ensures, among others, the fair and respectful treatment of the adult rape victim, assignment of a woman investigator during preliminary inquest, prevention of admission of evidence of the

victim's past sexual conduct or reputation unless such evidence is material and relevant to the case, banning of the public during the conduct of the preliminary investigation, among others.

209. The Supreme Court promulgated The Rule on Juveniles in Conflict With the Law. It took effect on 15 April 2002. It incorporated provisions found in the Convention on the Rights of the Child (CRC), the UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules) and other related UN Standards, such as releases on recognizance, diversion proceedings, and the right to privacy of the juvenile to be protected including exclusion of media. The Supreme Court Rules prohibit branding or labeling of the juvenile as a young criminal, juvenile delinquent, prostitute, vagrant or any derogatory name. The Supreme Court also issued Administrative Order No. 04-2002 dated 15 February 2002, directing trial judges to hold regular dialogues with appropriate government officials and to visit jails to check the welfare of prisoners, especially minor detainees.

210. The Family Courts Act of 1997 (RA 8369) established family courts in major cities all over the country to foster a more pro-active approach to protecting the rights of women and children against domestic violence and incest. Among the cases that fall under its jurisdiction are violations of RA 7610 and domestic violence committed against women and children. The law defines domestic violence against women as "*acts of gender-based violence that result, or are likely to result in physical, sexual or psychological harm or suffering to women, and other forms of physical abuse such as battering or threats and coercion which violate a woman's personhood, integrity and freedom of movement.*" On the other hand, domestic violence against children refers to *commission of all forms of abuse, neglect, cruelty, exploitation, violence and discrimination and all other conditions prejudicial to their development.* These acts constitute criminal offense, and are assigned corresponding penalties.

211. Pursuant to RA 8369, the Supreme Court promulgated the Rule on Examination of a Child Witness, which took effect on 15 December 2000. The Rule aims to create an environment that will allow children to give reliable and complete evidence, minimize their trauma and promote maximum accommodation of child witnesses. It also authorizes the judge to appoint a guardian *ad litem,* an interpreter, a facilitator and support person for the child during trial. Likewise, it makes use of live-linked television testimony or the use of screens, devices and one-way mirrors if there is a likelihood that the child will suffer trauma from testifying in the presence of the accused. Awareness-raising seminars are being conducted by the Ateneo Human Rights Center, with the assistance of UNICEF and Assisi Development Foundation, on Court-Appointed Special Advocates/ Guardian Ad Litem (CASAGAL) in the various judicial regions.

212. At the local level, the Cebu City and provincial governments have shown that local legislative bodies could use its power of legislation to address domestic violence, if officials choose to do so. The Cebu City Council, as well as the Provincial Board, passed ordinances penalizing domestic violence and providing protective measures for women and child victims of abuse. Among the more notable features of the provincial ordinance is the "barangay protection order" which may be issued by the barangay chair upon petition of the victim. The protection order makes it possible for local officials to "remove and exclude (the abuser) from the residence of the abused person temporarily for the purpose of protecting the victim regardless of the ownership of the residence." The order is deemed necessary because it is usually the wife and

children who are compelled to leave the family home to escape the abusive husband (Jimenez-David 2002).

Other measures to address violence against women and children

213. In 2000, the Supreme Court initiated reforms in judicial doctrines and court procedures. It was guided by *The Action Program for Judicial Reform, 2001-2006* (SC 2000), more popularly known as the "Davide Watch," which provides a system for the administration of justice geared toward achieving the goal of delivering fair, impartial, inexpensive, and swift justice on family matters, including domestic violence.

214. In 2003, the Supreme Court chief justice created the Committee for a Gender-Responsive Judiciary (CGRJ) that would plan and lead the campaign to enable the judiciary to better address women's concerns and gender issues. An early result of these efforts is reflected in the Supreme Court's ruling on the Genosa case, which admitted the "battered wife syndrome" as mitigating circumstance (not as defense), not only overturning the death sentence but setting the accused free, as she has served the minimum sentence meted out in her case.

215. The social welfare department's Rehabilitation Project for Women in Especially Difficult Circumstances (WEDC) provides temporary care and rehabilitation to women victims of involuntary or forced prostitution, illegal recruitment and battery and sexual abuse, as well as women survivors of armed conflict and detention. Homes called "The Haven," of which 13 operate nationwide, offer residential care, including food, medical care and psychological services; referrals for legal, psychiatric and other services necessary for early recovery of the victims; and training in livelihood skills.

216. The social welfare department also runs a Crisis Intervention Unit in all 15 regions of the country. The unit has a 24-hour hotline operation that provides counseling service through the telephone, carries out rescue operation, refers the victims to appropriate agencies, and gives other types of support. Women and girl-child survivors of violence, including incest, could find shelter in any of the 12 homes for girl children, 12 Reception and Study Centers for Children and 4 *Lingap* (or care) Centers operating throughout the country. These centers provide a complete range of services, from case diagnosis and management to organized non-formal activities for individual and group oriented treatment and rehabilitation. There are also services for formal schooling and vocational and skills training. Health services and psychological or psychiatric services, along with recreational sports and other socio-cultural activities complete the package.

217. The health department institutionalized the Women and Children Protection Program in all its 44 hospitals nationwide. Now called the Women and Children Protection Unit (WCPU), each unit is founded on a 24-hour quick response approach that delivers personalized and comprehensive health care to survivors. In collaboration with the Children Protection Unit and Women's Desk of the Philippine General Hospital & the University of the Philippines, the health department developed a training program for the WCPU doctors to respond with competence and sensitivity to the needs of women and children survivors of violence. The training program also enables doctors to do forensic work so that they can provide evidence and stand as expert witness in court.

218. In 2002, Local and Barangay Councils for the Protection of Children, set up under the Child and Youth Welfare Code of 1974, can be found in 3,354 barangays in the country. In 1997, the interior and local government department strengthened these councils, including training prospective council members and barangay officials on how to conduct planning-consultation workshops.

219. The various agencies involved in law enforcement have their own units to deal with violence against women and children. At the National Bureau of Investigation, a Violence Against Women and Children Division investigates cases and provides protective services, counseling, medical examination and assistance, and proper custody to child victims of molestation or rape, and victims of drug abuse. At the justice department, the Task Force on Child Protection investigates, prosecutes and litigates cases of child abuse and exploitation. All police stations now have Women's and Children's Concerns Desks. Staffed mainly by women police officers, these units receive complaints by victims-survivors. As of late 2001, the Philippine National Police had set up 1,612 women and children's desks in police precincts all over the country, staffed by 2,138 female and 405 male personnel.

220. There have been various interventions oriented to building the capacity of those with duty to address this human rights issue. Some of these efforts are as follows.

a. The interior and local government department helped set up community-based women's desks in all 19 municipalities and one city (San Fernando City) of La Union Province. Its services to local government units in this area included training in violence against women and children (VAWC) for the community fieldwork team, facilitation of a gender and VAWC orientation to barangay officials and women's organizations, and conduct of planning workshop activities for the development of strategic mechanisms to address VAWC.

b. The health department, in cooperation with NCRFW, Women's Crisis Center (WCC) and East Avenue Medical Center, initiated the Hospital-Assisted Crisis Intervention for Women Victims/Survivors of Violent Environments, also known as Project HAVEN, to test a government hospital-based healing center for victims/survivors of VAW. Part of the output of this project is the development of protocols in the proper handling of VAW victims/ survivors in different government agencies and a video manual on setting up hospital-based crisis centers.

221. There were also efforts to raise the awareness of the public and the pillars of the justice system, as follows:

a. The Philippine Judicial Academy has conducted gender awareness seminars for prosecutors and judges (1999); gender-sensitivity program for the five pillars of the criminal justice system (2000); eight multi-sector seminars on juvenile and domestic relations (September 2000 to October 2001); and judiciary workshop on "Realizing Economic, Social and Cultural Rights" (September 12-14, 2001). Partners included the UP Institute of Judicial Administration, the NGO Harnessing Self-Reliant Initiatives (HASIK), UNICEF, UNDP, UN High Commissioner for Human Rights and The Ford Foundation.

b. Several departments coordinated their efforts in mobilizing media in the advocacy campaign to promote and protect the rights of children, as well as to campaign against

child abuse. In coordination with the social welfare and tourism departments and the media, the education department organized *Bantay Eskwela* (school watch) in secondary schools in 1998 and *Bicol Bantay Bata* (*Child Watch*) in 1999, disseminated information materials and held a forum on the portrayal of girl children in media. The National Youth Commission organized "Youthspeak" to reach a covenant with media practitioners to develop a more responsive media environment reflective of the youth's visions and aspirations and supportive of their well-being. Youthspeak reached over 100 students/youth leaders and media practitioners. The Commission also formed the *Bantay* Cinema Youth Network to serve as monitoring team in various localities.

c. The social welfare department's project on Assistance to Lolas (grandmothers) in Crisis Situation seeks to rebuild the self-esteem of former comfort women through the provision of psychological interventions and financial assistance to meet their basic needs. This ended in December 2002.

d. Local governments and communities can also learn from a replication guide that the Local Government Support Programme, a project funded by the Canadian International Development Agency (CIDA), has published to help local governments fashion their response to violence against women. Entitled *Freedom from Fear: Establishing Quick Response Team for Violence against Women* (LGSP 2003), the guide consists of a set of manuals drawn from the QRT experiences of DAWN in Negros Occidental, and also of COMBAT-VAW, WCC, and other community-based anti-VAW efforts. In so doing, *Freedom from Fear* offers a wide array of possible tools and models that local government units can study and learn from.

NGO Programs in VAWC

222. The NGO community could be credited not only for raising domestic violence as a public issue, but also for providing services long before government recognized it as so. Many NGO community-based programs to assist women victims of violence have now been adopted and are being replicated by national government agencies and local governments. Among these is COMBAT-VAW (Community-based Approach to Violence Against Women), which was pioneered by the Women's Legal Bureau and HASIK, and which the local government of Quezon City has adapted. Lihok Pilipina's *Bantay Banay* (or "community watch") is the backbone of Cebu City's anti-domestic violence program.

223. SIBOL, an alliance of nine women's groups and NGOs, continues to actively push for women-related legislation. They have successfully pushed for the passage of the Anti-Sexual Harassment, Anti-Rape and Anti-Violence Against Women and Their Children laws. The latter law was based on their proposed bill on anti-abuse of women in intimate relationships. SIBOL members include Women's Crisis Center (WCC), Center for Legislative Development (CLD), Women's Legal Bureau (WLB), Womenhealth, Institute for Social Studies and Action (ISSA), Women's Education, Development Productivity and Research Organization, Inc. (WEDPRO), MAKALAYA, and Sarilaya.

224. The Women's Crisis Center (WCC), the first crisis center for victims/survivors of VAW in the Philippines, launched its National Network Family Violence Prevention Program in 1997 in 18 cities and municipalities all over the country. It is a community-based strategy of preparing

family members to protect themselves against violence and manage peaceful resolution of conflict within the context of family relations. It aims to organize and mobilize multi-agency action groups in the prevention of family violence from the regional up to the barangay level. Also involved in the crusade against VAWC are three legal groups, SALIGAN (*Sentro ng Alternatibong Lingap Panlegal*) and Women's Legal Bureau, and KALAKASAN (*Kababaihan Laban sa Karahasan*), an NGO providing shelter and counseling. These groups maintain a network of services dedicated to helping women survivors of violence. Other activities are *Tigil-Bugbog* (Stop Wife Battering) hotline for counseling, self-defense classes for women and paralegal training for people in the community. As part of the regional network of activists promoting CEDAW, the groups cooperated in carrying out a research to establish the baseline status of women's rights against VAW. They have also conscientiously tried to maintain records of their clients and services to help establish data on the extent and nature of violence committed against women. WCC reports that in 1999, some 64 percent of their cases were battered women; 9 percent were rape or incest victims and 6 percent were victims of sexual harassment.

225. The Vine Foundation, a consortium of five NGOs (Bidlisiw Foundation, NORFIL Foundation Inc., World Vision, Legal Alternatives for Women, and the Children's Legal Bureau), operates in the cities of Mandaue and Lapu-lapu and Cordova and Consolacion towns in Cebu Province. Its integrated family development program covers advocacy, training, legal aid and livelihood assistance. It plans to set up a crisis intervention center to provide temporary shelter as well as psychosocial and legal counseling to women and children survivors of abuse, but livelihood assistance would remain a key intervention.

226. Childhope Asia-Philippines initiated "Community Mobilization for the Prevention, Protection and Care of Abused and Sexually-exploited Children" program more than five years ago. Implemented in Pasay City, the comprehensive program to motivate parents and to identify children for referral to direct service programs continues to raise the consciousness and awareness of all sectors (city schools, church groups, barangay advocates and leaders) of Pasay City about child abuse and prostitution. Alarmed by the rapid increase of child prostitution in the city, Childhope formed the Pasay City Network for the Protection of Children. From 1996 to 1998, Childhope advocacy activities reached over 130 barangays in the city. Its activities included training sessions in case management and basic social work for volunteer counselors. Over 300 children and youth and NGO staff attended workshops on theater arts, value clarification, or paralegal education. By 1998, some 1000 street children were served. In December 1996, Childhope set up an Inter-Agency Task Force in another city, Kalookan. In 1997 and 1998, it provided counseling, health service, alternative education, or paralegal aid to 1,020 street children. In 1998, its Drop-in Center offered 140 sexually exploited girls with temporary shelter, non-formal education, medical and health assistance, recreational activities and counseling.

227. The Lunduyan (formerly Children's Laboratory Foundation) conducted family violence workshops in six barangays each in two provincial cities of Roxas and Iloilo in 1998 and 1999. These workshops trained 170 village justice advocates in Roxas and 210 in Iloilo and helped barangays to decide on three cases of child abuse in Roxas and five in Iloilo. The training workshops are still on going in two provincial cities in the Visayas (Guimaras and Antique), but this time for judges and prosecutors.

*Actions addressing needs of women in armed conflict and other internally displaced persons*

228. The Office of the Presidential Adviser for Peace Process (OPAPP), which is tasked with the management and supervision of the comprehensive peace process, is implementing a six-path comprehensive program to achieve peace and development in the Philippines. These "paths," are: pursuit of social, economic and political reforms to address the root causes of internal armed conflicts and social unrest (Path 1); consensus building and empowerment for peace (Path 2); sustaining and enhancing the viability of Peace Zones-SDAs through negotiated settlement with the different rebel groups (Path 3); programs for reconciliation, reintegration into mainstream society and rehabilitation of former combatants and their families (Path 4); addressing concerns arising from continuing armed hostilities, such as children in armed conflict and immediate relief and rehabilitation of conflict-affected families and communities, through the Civilian Victim of Internal Armed Conflict Program (Path 5); and building and nurturing a climate conducive to peace (Path 6).

229. With Asia Foundation assistance, the Institute for Women's Leadership organized meetings for the Mindanao Commission on Women. Composed of Muslim, Christian, and indigenous women leaders from government, civil society, and the private sector, the Commission pursues an agenda for peace and development in Mindanao with special emphasis on training young women leaders in peace-building (Asia Foundation 2002).

230. The Government of the Philippines (GOP)-UN/Multi-donor Assistance Programme (Phases I and II), involving the UN Agencies in the Philippines and 10 donor countries, supported the reintegration of some 70,000 former Moro National Liberation Front (MNLF) combatants, supporters and their families into the mainstream of civilian, economic and social life. Its activities and outputs included cooperative formation and community organizing for livelihood, which reached a total of 14,056 beneficiaries; and agriculture-based livelihood training in aquaculture, crops, farm machinery, livestock, and women's concerns to almost 2,000 trainees, resulting in the establishment of 532 livelihood activities that benefited some 20,084 MNLF combatants and their families (GOP-UNDP/MDP, n.d.). Moreover, the Technical Education and Skills Development Authority (TESDA) released PhP11.5 million to finance community-based training for enterprise development. With the support of Netherlands and UNFPA, 1,286 local health personnel were trained and 24 MNLF communities benefited from programs on family planning and reproductive health. The Bangsa Moro Women's Foundation for Peace and Development was the main partner, particularly in the conduct of community-based surveys.

## C. REMAINING CHALLENGES AND DIFFICULTIES

231. In the absence of baseline data, as well as reliable estimate of prevalence of VAW and other gender-based violence, the government cannot gauge any concrete progress in this area. In contrast, some challenges are notable.

232. *Anti-trafficking.* The full implementation of the Anti-Trafficking in Persons Act of 2003 needs to be ensured. There is a need to establish effective data generation mechanism to monitor cases of trafficking and address data gaps. It should build on the achievements and mechanism now in place in the Philippines and in the countries of destination, involving both government and NGOs. Bilateral cooperation should be pursued with priority to hotspots.

233. *Violence against women.* The challenges pertaining to the campaign against VAW are many. These cover the following:

a. Addressing gaps in data and information. Other than implementing the NSCB research design to generate primary data on the national incidence of VAWC, government should coordinate with NGOs and other research institutions towards the development of a more comprehensive and in-depth database on VAWC.

b. Conducting a more sustained gender sensitizing and training of police investigators, social workers, police and health officials involved in assisting survivors.

c. Operationalizing a more comprehensive, coordinated and multi-agency approach to VAW to ensure timely, responsive environment for women victims, including a women-friendly judicial framework that safeguards the safety and welfare of victims throughout the proceedings and processes of the criminal justice system.

d. Implementing a more comprehensive approach to also address the cyclical nature of violence and to focus on reforming and rehabilitating the perpetrator. Preventive measures should also be part of the solution. This could include a more aggressive education campaign to inform women of their rights, and how and where they can get support, including legal recourse, and gender sensitivity training for women victims and the perpetrators of VAW crimes.

e. Committing resources to government agencies working on the VAW issue. For example, the Women's Desks of the Philippine National Police lack trained armed police and medico-legal officers to handle and diagnose victims. They also need to be equipped with separate rooms to allow privacy in interviewing and examining victims. Some provinces and cities do not have family courts and judges to attend to victims of abuse and violence.

234. *Prostitution.* There is a need to continue addressing the root causes of prostitution such as the lack of viable economic opportunities for women. There is a need to raise consciousness and confront sexist attitudes that lead young women and girl-children to prostitution. The anti-prostitution bill should be passed immediately in order to accord justice to the prostituted women and children who are victims but are treated as criminals instead.

235. *Women in armed conflict.* The impact on civilians of the government's war against rebel forces and terrorist organizations must be given immediate and serious attention. Women should be enabled to participate in peace building and in rehabilitation of their communities, even as their livelihood and basic services should be assured.

## Article 7
## Political and Public Life
## Equal rights with men in political and public life

### A. SITUATION OF WOMEN

236. The Philippine Constitution guarantees equal rights to women and men in political and public life. However, they continue to be a minority in electoral politics, in the highest levels of public office on appointive capacity, and in the Executive and Judicial branches of government.

Electoral politics

237. For the second time in its history, the Philippines has a woman president, also installed into the presidency by people power. There had been no significant changes in other elective positions, however. For instance, in 2001 as in 1998, no more than 20 percent of the candidates are women. Also, the proportion of women who won the elections remained at 20 percent or below. These trends persisted despite women voters outnumbering men voters. In the 1998 national elections, 17.2 million women registered as voters as compared to 16.9 million men voters. Women's voter turn out rate was also higher at 87.0 percent versus the men's 85.7 percent in 1998, and 76.7 percent versus 75.9 percent among the men in the May 2001 national and local elections.

238. In the Legislature, the share of women in the Senate went down from 17 percent in 1995 to 9 percent in 2001, with only three women out of the total 23-member Senate. The trend is reversed in the House of Representatives, where women's share of the seats increased from 9 percent in 1995 to 16 percent of the 205-member chamber.

239. The implementation of RA 7941, or the Party List System Act of 1995, allocates 50 seats or 20 percent of 250 seats in the House of Representatives for party list representatives from the marginalized sectors such as peasant communities, urban poor, farmers, fishers and women. In the 1998 elections, the Commission on Elections accredited six women's parties, but only one, *Abanse! Pinay*, out of the six parties garnered the required percentage share of votes for a seat. *Abanse! Pinay* again won a seat during the 2001 elections, after the Supreme Court disqualified the parties who garnered more votes but did not represent the marginalized sectors.

240. The Party List mechanism provides an opportunity for the representation of women's interest by the representatives of women themselves. However, the low level of awareness on the party list system, along with the inexperience and lack funds of the sector parties, has so far limited its impact.

Women in appointive positions in the Executive Branch, Judiciary and Constitutional Commissions

241. President Arroyo's administration is notable for having appointed the most number of women to the Cabinet. By end of 2003, five out of 19 department secretaries are women. They handle the budget, labor, social welfare, science and technology and environment and natural resources

portfolios. In early 2004, three more women were appointed as department secretaries (finance, foreign affairs, and justice). Also holding cabinet rank were the women heads of the Office of the Presidential Adviser on the Peace Process (OPAPP) and the acting lead convenor of the National Anti-Poverty Commission (NAPC). They brought the total number of women in the Cabinet to 10, the highest ever in Philippine history.

242. Compared to the last reporting period, women's share of top-level positions in government is higher. Women head two of five constitutional commissions, namely Civil Service and Human Rights. There are women commissioners in the Commission on Elections, Audit and Civil Service. Women also head the Social Security System and the Presidential Commission on Good Government. Moreover, there are two women NGO representatives (Informal Sector and Women) out of the 14 National Anti-Poverty Commission Sectoral Council members.

243. The Indigenous Peoples Rights Act of 1997 also mandates the representation of women, as a result of which, two of the seven commissioners of the National Commission on Indigenous Peoples are women. Similarly, women are reserved at least one seat in local fisheries and aquatic resource management councils (RA 8850), agrarian reform bodies, protected areas management boards, and local agricultural and fishery councils. In 2001, women constituted 30 to 45 percent of agricultural and fishery councils at the regional (40 percent), provincial (30 percent), and municipal levels (45 percent). They accounted for a much smaller percentage (no more than 29 percent) of the membership of agrarian reform governing units or councils, with the smallest share observed at the municipal level (23 percent); and a yet much smaller share in environment protected areas management boards.

244. As of Sept. 2003, there are four women (27 percent) out of 15 justices of the Supreme Court, 12 (25 percent) out of 47 justices in the Court of Appeals, 3 (27 percent) out of 11 in the Sandiganbayan, which handles graft and corruption cases involving government officials. The judges in the Court of Tax Appeals, the Shari'a District Courts and lower level Shari'a Circuit Courts have remained all male. The table below presents the percentage of female incumbent judges in other Philippine Courts. In the lower courts, women judges accounted for no more than a quarter of all judges, except in Metropolitan Trial Courts, where they comprised almost half of the incumbent judges. It should be noted, however, that in 12 months, women judges were filling vacancies, resulting in an improvement in gender balance throughout the lower courts outside the Shar'ia Circuit Court.

**Percentage of female incumbent judges in Philippine trial courts (Supreme Court 2002)**

| Philippine Courts | Number of women judges | Total judges | Percent female |
|---|---|---|---|
| Regional Trial Court | 165 | 778 | 21 |
| Metropolitan Trial Court | 29 | 64 | 45 |
| Municipal Trial Court in Cities | 31 | 132 | 24 |
| Municipal Trial Court | 56 | 220 | 26 |
| Municipal Circuit Trial Court | 41 | 201 | 20 |

245. Women comprised more than half (53 percent) of the 1.45 million government employees in 1999. As in the last reporting period, they dominate the second level employees (professional, technical and scientific in nature) at 71.9 percent. However, women appointees to the third level or career executive positions comprise only about a third (34.8 percent) of the total. Similarly, women continue to form a minority of those in second-level positions in government-owned or controlled corporations, such as the Water Districts, the Philippine Ports Authority, Philippine Fisheries Development Authority, and the Bases Conversion Development Authority. This reflects the continued gender-based segregation in the bureaucracy.

246. Probably owing to the CSC programs, women's share of decision-making positions in the bureaucracy has increased. In 2002, women held 1,148 CES posts, including those designated as acting or officer-in-charge in constitutional agencies and national government agencies. These accounted for about 36 percent (versus 34.8 percent in 1999) of the total filled-up CES positions. In government-owned and controlled corporations, women in CES positions numbered 963, or 43 percent of the total. There were fewer women among CES level appointees (1,056, or 37 percent of the total) in constitutional agencies and national government agencies.

247. RA 7192, or the Women in Nation Building Act of 1992, opened the doors of the military and police to women. Since then, women have made significant progress. In 1997, women accounted for 15 percent of the 47 graduates of tne Philippine Military Academy. In the SY 1999-2000 admission exams, 17 percent of 1,486 women applicants passed, with a woman topping the exams. In the police force, there were already more than 5,000 women out of a total of 108,291 police officers in 2000. Many of the women are assigned to the Women's Desks or units in-charge of handling cases of violence against women and girls. Much remains to be done, however, to promote women's participation in the military and police service, including opportunity to work in areas of law enforcement other than the Women and Children's Desks.

248. In 1999, the Integrated Bar of the Philippines reported that 18 percent of lawyers are women. In the Philippine Medical Association, 8 of the 22 national officers (36 percent) are women, although the ratio is much lower at the provincial level. In the Philippine Dental Association, only 9 percent of the officers are women, even if 68 percent of the total membership is female.

249. Out of the 67 representatives of various sports associations, only 7 percent are women, who come from the National Archery Association, Philippine Amateur Track and Field, Philippine Equestrian Association and Gymnastics Association of the Philippines.

## B. ACTIONS TAKEN

***Legislation and policies***

250. A number of legislative and executive policies were adopted to increase women's participation and representation in decision-making. These include:

a. RA 8371, or The Indigenous Peoples Rights Act of 1997, which requires that indigenous women be represented in decision-making at all levels.

b. RA 8425, or the Social Reform and Poverty Alleviation Act of 1997, which allots one seat for the women's sector in the National Anti-Poverty Commission.

c. RA 8551, or the National Police Commission (NAPOLCOM) and Philippine National Police (PNP) Reorganization Act of 1998, which specifies a 10-percent quota of the PNP annual recruitment, training and education for women police officers; and prohibits sexual harassment and discrimination on the basis of gender and sexual orientation.

d. RA 8850, or the Fisheries Law of 1998, which requires that women be appointed as members of the city or municipality fisheries and aquatic resources management council.

e. Environment department directive that requires the inclusion of women as members of the protected areas management board, a multi-sector board created in each protected area established under the National Integrated Protected Areas System.

251. As described on Part II, the Civil Service Commission (CSC) issued a memorandum circular on equal representation of women and men in third-level positions in the civil service. A few bills pending in Congress are seeking to increase the participation of women in decision making in government. One is an enabling law on women's sector representation in local councils, which will make operational the women sector representation provision in the 1991 Local Government Code. Another is the proposed Women Empowerment and Gender Balance Act, which (as described in paragraphs 42 and 149) would mandate at least 30-percent representation of women in decision-making positions in government.

Programs and other measures

252. The CSC leads the implementation of programs to propel more women to higher-level positions, by increasing their capacity and leadership. In cooperation with NCRFW and the Career Executive Service Board (CESB), among others, CSC implements three programs. One is the Career Advancement of Women in Government Service (CAPWINGS). It seeks to enhance support mechanisms, capability building, training and other enabling mechanisms for women employees. Its components include improved working conditions, prevention of sexual harassment in the work place, facilitation of career advancement, and advocacy. Among the gender-sensitive policies instituted are paternity leave and leaves for various family-related occasions, establishment of day care centers, flexible working arrangements which include modified maternity leave, part-time employment and flexible working hours. A second program, the revised Merit Promotion Plan, was formulated to ensure non-discrimination in the selection of employees and to emphasize equal employment opportunity for women. Lastly, a "Directory of Women on the Move" was published to provide appointing authorities with choices as to qualified women for top posts.

253. The NCRFW, along with NGOs and other government agencies, support measures to build the capabilities of women elected officials. In May 2003, it convened a national summit of local women executive and legislators to develop a program to support women officials and to assist them into formulating and/or implementing gender responsive policies and programs in their localities.

NGO Efforts

254. Several NGOs have been working to support women in local government within the broad framework of women in politics and decision-making. The Women's Legal Bureau conducts legal training and assistance for women which include training on women and the law, legal and paralegal assistance and feminist legal assistance. Meanwhile, the Center for Legislative Development provides critical intervention to legislative staff, legislators and NGOs through training, documentation and research services on legislative processes; and conduct gender sensitivity training for elected local officials and legislators and regular dialogues with other NGOs on legislative advocacy for women. It is also spearheading the program "50/50 Gender Balance in Political Participation" by 2015.

255. The Center for Asia-Pacific Women in Politics (CATW-P), a regional organization based in the Philippines, is advancing women's political participation by creating a critical mass of competent, effective and committed women politicians who espouse a transformative approach to leadership. CAPWIP conducts training on empowering women for transformative leadership and citizenship, gender-responsive governance, in line with its thrust to build transformative communities.

## D. REMAINING CHALLENGES AND DIFFICULTIES

256. Government must intensify actions to help women break the glass ceiling in the bureaucracy. Initiatives must be strengthened to enable more women to handle key positions in the bureaucracy through training on leadership, communication, negotiation and assertiveness, among others.

257. Women electorate must be prepared to elect women and men who support women's empowerment and gender equality. There is also a need to sustain the political agenda and parties of women over the long-term and reorganize model capability-building interventions for women's political groups.

258. More vigorous advocacy for temporary special measures is needed, especially in the judiciary, police, and military academy.

259. Career counselling, actual exposures to political processes and examination of structural constraints to women's participation in these fields have to be consciously addressed.

260. As a May 2002 briefing paper for the workshop on gender balance in political participation noted, raising social awareness of the importance of a gender-balanced political system should be initiated nationwide to overcome old structure, paradigms and frameworks.

261. Capability and transformative leadership and politics and organizing at the community level need to be expanded and strengthened so that women's groups and other basic sectoral groups can support and critically collaborate with elected and appointed women officials.

## Article 8
## International Representation and Participation

### Equal opportunity to represent governments at the international level and to participate in the work of international organizations

### A. SITUATION OF WOMEN

#### Women in the diplomatic service

262. In September 2002, there were 80 Philippine embassies and consulates around the world. Women headed 22 (or 28 percent) of these, with 12 holding the rank of Ambassador and 10, Consul-General. In November 2003, only 17 out of the total 61 Ambassadors and Charge d' Affaires were females (or 28 percent), while 10 of the 19 Consuls (53 percent) were female.

263. In December 2001, there were 51 women serving the world as attachés. By December 2003, the number of women attachés declined to 49, holding trade, labor, tourism, agriculture, or welfare portfolios.

Participation in international organizations and activities

264. Filipino women easily attend international activities or represent the country in international bodies including the ASEAN Committee on Women. They have been designated as lead representative to international organizations, such as the Asia Pacific Economic Cooperation (APEC), where a woman served as the country senior official representative from 1997 to 2002, and the APEC Business Advisory Council, where one of the three-member representatives of the Philippines is a woman. Women invariably served as head of the Philippine delegation to all regional and global conferences on women.

265. Filipino women have been elected to head such UN bodies as the UN Committee on Economic, Social and Cultural Rights (incumbent Chair) and the UN Commission on the Status of Women (three times Chair). They have also served other UN bodies and international and regional organizations, such as CEDAW, UN Committee on Human Rights, UNIFEM and the International Labor Organization.

266. In coordination with other APEC member economies, women business leaders, government officials and gender experts from the Philippines led the organizing of the first APEC Ministerial Meeting on Women in Manila in October 1998. This was in response to the APEC Leaders' call for the integration of women and youth made in 1996 when Philippines chaired APEC and led the advocacy for gender mainstreaming. The APEC Ministerial Meeting focused on the role and contributions of women in the economy, particularly in small and medium enterprises, industrial science and technology, and human resource development. The Philippines also co-chaired the task force for the integration of women in APEC.

267. The Philippines, through women leaders from the NCRFW and the academe, led the resource team for the development and delivery of Gender Information Session to all key APEC fora. It contributed to the conceptualization of the APEC Gender Focal Point Network, which is expected to institutionalize gender mainstreaming. In partnership with New Zealand, the Philippines prepared a paper on the impact of trade liberalization policies on women, which was presented at the Second APEC Ministerial Meeting on Women held in September 2002 in Guadalajara, Mexico.

268. Filipino women have also directly and indirectly assisted other countries on gender mainstreaming either through bilateral arrangements or through organizations like the UN and the Canadian International Development Agency, among others. Women and men officials have come for study missions on GAD from Indonesia, India, Bahrain, Mongolia, Lao People's Democratic Republic, Cambodia, East Timor, the All China Women's Federation, Nepal, Pakistan, and Korea.

269. Also, the national machinery on women participates and assists international organizations through the provision of inputs to UN meetings and conferences on such areas as women in armed conflict, information and communications technology and gender mainstreaming in their development assistance frameworks.

270. There has been an improvement in the participation of women in international fora and they have consistently championed gender issues in global policy discussions, including such issues as the rights of overseas workers including women, violence against women, and the need for integration of gender issues in economic policies.

## B. ACTIONS TAKEN

271. Measures taken to improve gender equality in representing the Philippine government at the international level have been subsumed in the discussion of promoting gender equality in government under Article 7.

## C. REMAINING ISSUES AND CHALLENGES

272. There is still the tendency for women's representation to remain on areas traditionally associated with women such as human development or social concerns. One reason is that they also tend to dominate or head these portfolios.

273. Efforts to widen the scope of international representation and participation of women in areas such as economics, science and technology, law and global decision-making, among others, should be strengthened. Affirmative action should be taken in the form of mandatory inclusion of women representatives in the country delegation to international activities. Action should include training and exposure of women to the aforementioned fields in order to qualify them for positions or representations in international bodies.

274. Support systems that will ease the multiple burden of work, family and social activities should be strengthened and expanded to increase the opportunities for women to engage in international activities and organizations.

## Article 9
## Nationality

### Equal rights of women and men to acquire, change or retain their nationality or that of their children

### A. SITUATION OF WOMEN

275. Under the 1987 Constitution Art. IV Sec. 1 (2), any child whose father and mother are citizens of the Philippines may be recognized as a Filipino citizen under existing laws.

276. The laws on nationality provide equal rights to Filipino women and men to acquire, change or retain their citizenship or that of their children.

### B. ACTIONS TAKEN

277. Much progress has been made in translating the constitutional provisions on non-discrimination of women in the acquisition, re-acquisition and retention of citizenship since the last periodic report. These policies and guidelines considered circumstances and instances where the nationality of Filipino women should be duly recognized and where they can reacquire their nationality.

278. With the passage of RA 8171, Filipino women and men who have lost their Philippine citizenship by marriage to foreigners or on account of political or economic necessity (provided that s/he is not opposed to the organized government, not teaching or defending violence, and of good moral and mental standing), may come back to the Philippines to reacquire their citizenship.

279. In 1999, the Supreme Court, in its decision on an issue of dual citizenship, clarified that women and men may possess dual citizenship under the following circumstances:

a. When they are born of Filipino fathers and/or mothers in foreign countries which follow the principle of *jus soli*;

b. When they are born in the Philippines of Filipino mothers and alien fathers or Filipino fathers and alien mothers, if by the laws of their alien father or mother's country, they are also considered citizens of that country; and

c. When they marry a foreigner, and if by the laws of the husband/wife's country, they are considered citizens of that country, unless by their act or omission they are deemed to have renounced their Filipino citizenship.

280. In 2003, the Philippine government passed a law (Republic Act 9225) that allows the retention and reacquisition of Filipino citizenship. The law declares that natural-born citizens of the Philippines who become citizens of another country shall be deemed not to have lost their Philippine citizenship.

281. The Philippine government has likewise ensured that women's rights in securing travel documents, specifically, the passport, are upheld. Guidelines on issuance of passports to women as stipulated in the Philippine Passport Act of 1996 do not require that women seek the consent of their husbands for their application for said document. The guidelines, contained in the 2000 Handbook for Filipinos Overseas, only require submission of pertinent documents to establish the civil or marital status of women applicants.

## C. REMAINING CHALLENGES AND DIFFICULTIES

282. To ascertain the efficient implementation of the laws and guidelines on non-discrimination in acquisition, retention of nationality, monitoring mechanisms need to be installed to track violations and cases.

## Article 10
## Education

**Equality in education; career and vocational guidance at all levels; access to the same curricula; elimination of stereotypes; scholarship opportunities; access to continuing education; reduction in female drop out rates; sports and physical education opportunity; access to health information including family planning**

## A. WOMEN'S SITUATION

Literacy

283. Education is a basic right of every Filipino. The government provides free public education for all at the elementary and secondary level and subsidizes tertiary level and technical/ vocational education through the state colleges and universities in provinces and cities around the country. In 1997, 92 percent of elementary schools were run by the state, but this proportion dropped to 89 percent in 2000-2001 onwards, as more private schools opened. At the secondary level, government schools accounted for about 59 percent. The government offers scholarship opportunities to financially deserving students who wish to pursue higher education. Through the Commission on Higher Education (CHED), it provides scholarships and loan grants to poor but deserving students, both in government and private higher education institutions.

284. In 2000, simple literacy rates (pertaining to the ability to read and write a simple message in any language) for women and men 10 years old or older are almost equal at 92.3 percent and 92.0 percent, respectively, or a gender gap of 0.3 percentage point (NSO 2003h). What is troubling is that between the census years 1990 and 2000, literacy rate declined from 93.7 percent for the males and 93.4 percent for the females. This came after the dramatic rise in literacy rate by over 17 percentage points for the two groups between 1980 and 1990. This could mean a combination of poor quality of education, which plagues the Philippine education sector (ADB/WB 1999, Illo 2002a), and the effect of the crisis that saw the withdrawal from or delayed entry of young children to school.

285. Compared to simple literacy, functional literacy, which requires the ability to perform basic computational procedures, is lower for both women and men.[14] Here, women fared better than men (85.9 percent versus 81.7 percent in 1994, and 76.2 percent versus 74.5 percent in 1989). The same cannot be said in the Autonomous Region of Muslim Mindanao (ARMM), where women's functional literacy rate was a low 59.1 percent, or 4.1 percentage point lower than that for men (NSO 1999a).

286. There is a large disparity in the functional literacy between urban and rural women. In 1994, 83.9 percent of urban women were functionally literate while the figure for rural women was only 68.8 percent. It was much lower for women over 44 years old. This trend could be traced to the lack of educational opportunity, the lack of access to educational institutions, or the greater tendency of parents in rural areas then to discourage previous generations of girls from attending school.

Formal education

287. At present, women tend to stay longer in school and a greater number pursue higher education. While slightly more boys start school (in 2000-2001, 51.0 percent versus 49.0 percent among girls), slightly more girls proceed to secondary school (51.3 percent vs. 48.7 percent). This is also evident in the school participation or net enrolment rates,[15] which have been consistently rising over time and is relatively high compared to other developing countries. Except in 1998-1999, elementary school participation of males traditionally exceeds female participation while the reverse is true at higher levels. This implies the general absence of systematic bias against girls and the recognition among parents that female children tend to perform better in school (PHDR 1997) and are more likely than male children to finish the school year and their education (see Annex Table B10.1 in Annex B for cohort survival rates). To many parents, investing in the education of girl makes sense. The lower male net enrolment beyond the elementary level could also be due to the fact that male children drop out to help their families earn a living, as suggested by the much higher percentage of boys among child labor (NSO 1995 and 2001 Child Labor Surveys).

288. While the national school participation rate is high, it is lower in remote areas, among street children and those living in extreme poverty, among indigenous peoples, and those in areas under armed conflict (Reyes 2003). In addition, the dropout rate is high and cohort survival rate low, particularly among boys (Annex Table B10.1) and children in ARMM (where drop out rate was averaging over 20 percent between 1996 and 2001) and Western Mindanao (13 percent; Reyes 2003).[16] These pose a continuing challenge to the government's "Education for All Program."

[14]The recent source of data on functional literacy is the Functional Literacy and Education and Mass Media Survey (FLEMMS) that was conducted by the National Statistics Office in 1994.

[15]Participation or net enrolment rate pertains to the proportion of official school-aged enrollees at a particular level by the total population of children in that age group (7 to 12 years for elementary and 13 to 16 years for secondary).

[16]Dropout rate refers to the proportion of pupils or students who leave school during the year as well as those who complete the grade/year level but fail to enroll in the next grade/year level the following school year to

289. Tertiary-level enrolment is female-dominated (Annex Table B10.2). However, after the crisis broke out in mid-1997, male enrolment increased steadily from 43.8 percent in school year 1998-1999 to 48.1 percent in 2000-2001, while female enrolment seemed to respond to the economic instabilities that persisted to this day.

290. Business administration remained the most popular college or university course for both women and men. The other five high-enrolment fields were: education, medical/health courses, computer science and mathematics, and engineering (Annex Table B10.3). Career choices of women and men continued to differ, but the differences had not been as marked as in earlier years. For instance, agriculture, forestry, fishery and veterinary medicine, fields that were ones regarded as masculine, are now achieving a "gender balance" as women constitute about 47 to 50 percent of enrollees. Mathematics and computer science is another field that is attracting more women (over 55 percent) than men, although the latter are entering the field in greater numbers. Similarly, women dominate trade, craft and industrial arts, once a man's field. Of its very small enrolment, a large number are women (81.3 percent in 1995-1996 and 84.0 percent in 1999-2000).

291. Women's access to higher education may be better than that of men, but women have not been doing as well in government board or certification examinations. In 2000, for instance, 35.9 percent of women examinees (versus 37.6 percent among the men) passed (NSCB 2001 cited in WAGI 2002). Only in 3 (dentistry, electrical engineering, and nursing) of 18 fields did the women rate relatively better than the men, while in the two teachers' certification tests, the passing rates for the two groups were a low 35 to 37 percent. In the remaining 13 fields, the men outdid the women. The largest passing rate gap was noted in midwifery (27.1 percentage points, with 78.4 percent of the 51 male examinees passing the test versus 51.3 percent of the 2,646 female examinees); pharmacy (12.5); and chemical engineering (11.8).

292. Another field that has opened its doors to women is military training. This was made possible by the passage of Republic Act (RA) 7192 in 1991 that gave women "equal opportunity for appointment, admission, training, graduation, and commissioning in all military or similar schools of the Armed Forces of the Philippines and the Philippine National Police" (Sec. 7). At the Philippine Military Academy, some 257 women, or 17.3 percent of the total, passed the admission exams for school year 1999-2000. But because of inadequate facilities, the intake per year has been limited to a maximum of 20 female cadets.

293. Based on the number of beneficiaries of CHED scholarship programs, women are being given more opportunities to avail of free education. Of the 32,521 scholarship recipients in 1997-1998, about 67 percent were women. The following year, distribution was more uneven, with the 19,426 female recipients accounting for 69 percent of the total. In 2001-2002, the beneficiaries of the CHED-administered Student Financial Assistance Programs (STUFAP) totaled 22,329, with 9,601 males (43 percent) and 12,728 females (57 percent). As in previous years, the women won a large share of the scholarships and financial grants offered for school year 2002-2003 (Annex Table B10.4), except for the scholarships given to Muslim students 60 percent of which went to men.

294. The continuing dominance of women in higher education, however, masks a number of gender issues. Some of these are as follows.

a. Outside business administration, which continued to attract young people because of the private-sector jobs that they hope they would land after they graduate, women concentrate in areas (education) that do not pay as much as the fields that men specialize in (engineering; ADB/WB 1999).

b. Within a field (such as business administration and medicine), women and men tend to specialize in different courses. Women, for instance, take nursing, pharmacy and midwifery, while men go to medicine and physical therapy. With the increased demand for nursing and physical therapy overseas, however, medical school graduates have been known to return to school to enroll in these courses. In engineering, similar gender tracking had been observed. Women generally tended to prepare for careers that do not pay as well as the men's. A study of the education sector in 1998 showed that among the 1995 graduates in medical and health courses who were surveyed in 1997, nursing and pharmacy paid the lowest (PhP7217 per month) compared to medicine (PhP9508). Marine engineering, which accounts for a large share of enrolment in engineering, reportedly paid an average of PhP10,832 a month, much more than civil engineering (PhP8,476), the engineering course of choice among women (ADB/WB 1999).

c. A conference of the Women's Studies Association of the Philippines (WSAP), a professional organization of Women's Studies practitioners, held in July 2001 demonstrated how high school guidance counselors contribute to gender stereotyping in courses at the tertiary level. It also pointed out that the instructional materials and classroom practices in the basic education levels tended to reinforce stereotypes not only regarding gender roles, which affect career decisions, but also gender relations, which normalize peer harassment of girl pupils and students.

***Technical and vocational education***

295. The Technical Education and Skills Development Authority (TESDA) manages the technical and vocational education and training (TVET) in the country. TVET covers school-based training, non-formal center-based (skills development) education, industry based training, and community-based sector training. The school-based system provides course of one to three year's duration for women and men who have completed a full secondary education. Private institutions dominate the system, accounting for about 90 percent of graduates. The non-formal education provides courses or training for a wide range of clients including out-of-school youth and women seeking to enter the workforce, among others. The industry-based training and industry partnership refers to a range of training arrangements, which are in place. The community-based sector provides training on livelihood and entrepreneurship.

296. A national network of TESDA provincial centers and accredited training providers offer skills training programs to out-of-school youth, unemployed and employed women. TESDA enrolls more than 150,000 a year (BLES 2000). Women account for 40 percent of the total enrolment and graduates in the formal training programs. Its non-formal training programs had begun involving more women. In 1997, women made up 45 percent of total enrolment. This rose to 64 percent in 1997, although it fell to 59 percent in 1999. Of the total enrollment, only around

17 percent graduated in 1998, from a high 66 percent graduation rate the previous year, for both sexes.

297. As of 2001, about 40 percent of the enrollees in TVET institutions were women. In 2003, women accounted for over 53 percent of total TVET enrollees and graduates. This figure is higher than that in most countries, but it is still less than parity. Moreover, it disguises at least two gender issues. Most women congregate in traditional programs such as sewing, arts and crafts, and food services that usually lead to low-paying jobs. Also, far fewer women take the national trade tests after completing their studies. In 1998, some 7,400 women took the test, as compared to 26,700 men. Only about 33 percent of the women passed the trade test, as compared to 39 percent of the men. The problem partly rests with the gender segmentation in the labor market, which perpetuates unequal incomes for women in the job market (see discussions under Article 11). Besides, the programs that women enter do not have trade tests, such as cooking, sewing, etc.

## *B. ACTIONS TAKEN*

298. To respond to the gender issues in the educational sector, the government initiated various policy and program initiatives. In addition, various non-governmental groups, such as private educational institutions, non-government organizations, and professional groups, launched programs and projects to improve women's and girl's access to education and promote educational environments that are women- and girl-friendly.

### *Policy developments*

299. To boost enrolment in science and technology courses, the Philippine Congress passed RA 8248, or the Science and Technology Scholarship Act of 1997. This aimed to expand and upgrade educational opportunities for women and men to pursue careers in science and technology.

300. The National Service Training Program Act of 2001 (RA 9163) made military training in the tertiary level (known as the Reserved Officers Training Corps, or ROTC) as one of three requirements for graduation that male and female students can choose from, beginning in academic year 2002-2003. The two others are Civil Welfare Training Service (CWTS) and the Literacy Training Service (LTS).

301. Several bills are pending in the Philippine Senate that would grant women scholarship or financial assistance. Senate Bill Nos. 764, 1104, 1108 and 1247 seek to grant women equal opportunities with men in the field of sports by providing them with athletic scholarship programs and equal prize money in professional competitions. Meanwhile, Senate Bill Nos. 601 and 1248 aim to empower women by providing them with assistance and opportunities in enterprise in order to enhance their welfare, realize their full potentials and increase their access to education.

Program developments: government

*Formal Education*

302. The education department continuously explores means to maximize its resources through educational reforms, alternative forms of instruction, community-based programs and by building partnerships with community institutions and NGOs towards the delivery of educational service to the Filipino people. It has also included gender-related topics or modules and would be introducing teaching aids for integrating gender topics in selected learning areas. Specifically,

a. The elementary education bureau integrated human rights and sex education subjects or modules into the curriculum.

b. The department has issued a teachers' guide containing exemplars of lesson plans for both elementary and high school level where gender issues are integrated in the five learning areas under the 2002 revised educational curriculum, namely: English, Science, Math, Filipino and *Makabayan* (Social Studies, History, Arts, Technology and Home Economics). The guide has been field-tested in several provinces and duplicated for distribution in 2002-2003.

c. Topics related to GAD, particularly Violence Against Women (VAW), have been integrated into the medical curriculum of one of the country's major universities offering medical courses. With this pioneering effort, negotiations with CHED are under way to integrate a course on the handling of VAW cases in all medical schools in the country.

303. The department has also been evaluating textbooks and teaching materials at all levels as to their gender responsiveness:

a. The elementary level, it evaluated new generation textbooks for use in the public schools to make them more gender sensitive and thereby help improve the self-image, lives and work opportunities of girls, particularly in areas where they have traditionally been under-represented, such as mathematics, science and technology. One gender indicator used to evaluate textbook and textbook materials pertains to the appropriateness of the material and the "gender balance" in treatment of roles, occupations and contributions in the text and illustrations of the textbook. The list of evaluated textbooks given by private publishers was used by children aged six to 12 years in public schools from 1996 to 1999. Of the elementary books on English, Science, Math, Filipino and *Sibika/Hekasi* that were evaluated in 2000-2001, some 67 books (or 71 percent of the total books evaluated) were approved, or rated appropriate and gender responsive. The following year, approved elementary books totaled 96 (66 percent of total). For high school books on English, Science & Technology, Math, Filipino, and *Araling Panlipunan* (Social Studies), the department approved a smaller percentage of books evaluated: 47 percent (16 books in all) for 2000-2001, and 38 percent (40 books) in 2001-2002. In addition, the education

department integrated human rights and sex education subject/modules in the curriculum.

b. Together with the University of the Philippine Institute of Judicial Administration, it conducted a training of trainers with selected public school teachers, guidance counselors, administrators and supervisors from pilot schools from the different regions on how to create a protective and inclusive gender sensitive and child friendly school.

c. Gender reforms at the higher level are likewise being pursued by the GAD Focal Points of state universities and colleges, such as the revision of textbooks, curricula, instructional materials, and teaching methods towards gender responsiveness. The CHED continues to monitor the implementation of gender mainstreaming curriculum and the integration of GAD concepts into the syllabi of selected subjects.

**Sports**

304. In the field of sports, women's participation has not progressed significantly. The need for a comprehensive and aggressive sports program to seek out and develop athletes among the populace in the rural areas, and of women athletes and the youth is partly addressed by the 5-year sector plan of the Philippine Sports Commission. The plan has as one of its targets the promotion of gender equity. It includes such strategies as the use of female role models, women's sports strategy, gender balance of all publications, and alternative club competition programs for women.

**Continuing education and job enhancement**

305. The education department implements the Reading Education Training Program (RETP) which is an adult literacy program open to both women and men who are trainers of reading in the elementary, secondary and non-formal education levels. The program addresses the deficiencies in literacy approaches by retooling first the trainers or teachers of reading. In the third year of implementation, 7,000 trainers were updated on current trends in teaching remedial and reading recovery, an approach that would restore personal confidence of learners and minimize dropouts.

306. For those employed in government, the Civil Service Commission implements a Local Scholarship Program for those who want to complete their college, master or doctoral degree. The scholarship, which could be availed on a full or part-time basis, is open to women and men who meet the requirements. From 1993 to September 2001, a total of 4,261 employees have enrolled in the program, with women comprising 57 percent of the total.

307. The education department's Integrated Scholarship Program has been attracting high participation of women, even for its Masters' courses in Biology, Mathematics, Economics, Physics, Chemistry, and Music. Of the trainees of the National Computer Literacy Program for teachers, administrators and support staff under the modernization program for teachers, 93 percent were women.

*308.* The Philippine Council for Agriculture, Forestry and Natural Resources Research and Development (PCARRD), a government institution, has been active in developing gender and development capacity at sub-national level academic and research institutions. It has embarked on a program to engender the national agriculture and resources research and development network throughout the country.

*309.* Another institution, the University of the Philippines Center for Women's Studies (UCWS), in collaboration with NCRFW and the Women's Studies Association of the Philippines, completed a project to establish Gender and Development Resource Centers (GRCs), and build capacity for gender planning and gender policy formulation in the regions to help ensure sustainability of GAD programs and projects in government. At the end of 2003, eight GRCs were established and networks of GAD resource pools consisting of trained academic and professional researchers in gender planning, monitoring and evaluation had been set in place.

*Vocational and technical education*

310. With the improved performance of women in formal education, greater attention is now being focused in expanding the job options of women through technical-vocational training and non-formal education programs that are implemented by government agencies and NGOs.

311. In 1997, the country launched a technology-based education and training program for women through the National Vocational Training and Development Center for Women, also known as the TESDA Women's Center. Established to improve the economic status of women through technical education and training, the center offers women-friendly facilities, including day care and nursery and space for networking among NGOs. It likewise offers training in nontraditional trades, in addition to a menu of traditional skills areas. It approaches women's economic empowerment through technical skills training, entrepreneurship training, social skills training, research, advocacy, career guidance and job placement assistance and counseling services, training in traditional trades (food trades, dressmaking and the like) and non-traditional courses, such as welding, general electronics, rural barangay electricity, auto electricity, building construction trades, basic soldering, car air-conditioning, and welding. It started to track employment entrepreneurship efforts of graduates of its courses. As of 1998, around 19,199 graduated from the various courses offered under the program. In 2000, the center graduated 135 women in the 12 trade areas as part of the fifth batch of the pre-employment skills training. The following year, the sixth batch of 191 women underwent training. Some 73 women completed their skills upgrading, while 313 acquired "empowerment skills" that focus on social and entrepreneurial skills.

312. From 1998 to 2001, the center graduated 317 women in various nontraditional trades, mostly in electronics (36 percent) and automotive (29 percent) (See Annex Table B10.5). Of the total graduates, 83 percent completed pre-employment skills trainings, which enable trainees to acquire basic knowledge and skills in their chosen trade area in preparation for gainful employment; 7 percent, skills upgrading courses that deepen the trainees' knowledge and skills in specific aspects of their chosen trade area; and 10 percent, the 18-month comprehensive trainers' training for potential or future trainers. Women clients of the center, however, tended to flock to traditional women's skills areas. From 1999 to 2001, for instance, 479 of the total

651 graduates (or 74 percent) trained in such trade areas as hotel and restaurant management (29 percent), garments (16 percent), crafts, gifts and housewares (12 percent), food processing (10 percent), and jewelry (6 percent).

*Non-formal/community education*

313. The Bureau of Non-Formal Education (BNFE) offers Functional Education and Literacy Programs in 10 of the 16 regions of the country. Some regions conduct Female Functional Literacy classes with maternal and childcare as core topics. It has also expanded alternative non-formal education systems for indigenous communities to include *Magbasa Kita* (Let Us Read) that teaches women and girls to read, and established school-based child-minding centers so that older children, mostly school-aged girls who take care of younger siblings, could attend classes despite their child-minding task.

314. To meet the needs of persons with disabilities, government implemented a number of programs, such as educational services and material support from the education department; and from the social welfare department, a community-based project for children and out-of-school youth that actively involves family members in the rehabilitation process of children with disabilities. The latter also has an ongoing project that provides skills training for women with disabilities in sewing, rattan and toy crafts, food processing, loom weaving, ceramics, and home aide service. It also enhances women's understanding and practice of maternal and personal care, community participation, livelihood, and social communication skills. From 1995 to 1999, it served a total of 166,293 disadvantaged women nationwide. Of the women graduates, some 136,262 (or 81 percent) were absorbed in the labor force either through self- or open employment, sheltered workshop or community manufacturing, or sub-contract jobs. Meanwhile, the National Council for the Welfare of Disabled Persons (NCWDP), with the trade and industry department, conducted skills training programs on food processing and craft making in three cities for differently-abled women and for parents or guardians of differently-abled persons.

315. In 2001, the Philippine Commission on Human Rights (PCHR) launched a campaign to promote human rights information among the youth, civil servants and the masses. One of its two projects is implemented in coordination with the education department and involves the establishment of a human rights desk in educational institutions, which will disseminate human rights materials and conduct human rights orientation for students and the academe.

Efforts of educational institutions, professional organizations and NGOs

316. An increasing number of universities and colleges are offering women studies. The Women's Studies Association of the Philippines (WSAP) has 50 member-schools and over 300 teacher advocates all over the country. In July 2001, it convened a conference that focused on the theme of sexism in campus, which involved teachers and researchers in Women's Studies as well as young women students who spoke on various forms of sexism that they encountered in school. Held simultaneously with the conference was a training of guidance counselors on feminist guidance counseling and non-sexist career counseling. During the period under review, WSAP members also undertook teacher training and curriculum development on

Women Studies. For instance, WSAP provided training in peace education as part of its March 2002 conference on gender, peace and justice.

317. Private women's colleges and universities have actively promoted key courses and programs. Miriam College created the Women and Gender Institute (WAGI) in 1999 and has been offering international women's human rights seminars on an annual basis. St. Scholastica's College requires its students to take a course on women's studies prior to graduation. In 1990, it created the Institute of Women's Studies as part of its outreach program. The Institute offers formal courses and trains women from various parts of the country and Southeast Asia on gender-fair education, women and development, women and health, feminist theories, VAW, and gender issues in marriage. Meanwhile, the Philippine Women's University's community outreach program conducts volunteer health workers' leadership training, literacy class and values formation program for women living in poverty.

## REMAINING CHALLENGES AND ISSUES

318. Negative results of gender tracking at the tertiary level include placement of women in lower paying jobs (see discussion in Article 11). Without viable employment opportunities locally, educated women end up overseas, working in domestic service. This produces a deskilling at two levels: nationally, as the country loses its educated workers; and personally, as people hold jobs that require less skills than they are trained for. To avoid this, education needs to be attuned with global trends so that women may be employed in jobs matching their skills and knowledge.

319. Also due to the difficulty of finding work in the country, job seekers, both women and men, tend to grab the first available job opportunity. When this happens to women who train in non-traditional professions or careers, it diminishes their opportunity to grow in their profession unless they go for re-training. As a result, there are still few female role models in nontraditional occupations like engineering, science and technology, architecture, and even in vocational-technical courses like computer technology.

320. Lower literacy and education in rural areas predispose rural women (and men) to lower level jobs, such as domestic service and unpaid family work, or worse, easy prey to prostitution. Although not all college graduates find a job, postsecondary education has been directly related to better paying jobs, better family health, higher use of contraception and lower number of children. There is, thus, a need to put more resources and expand government education programs to rural and indigenous women.

321. The disproportionate representation of women in top education positions persists. Despite their large number in the educational system and their extensive educational training, women are provided limited career opportunities in decision-making levels where they can apply their knowledge and where they can further enhance their capabilities on the job.

322. There is inadequate data to monitor women's education and training and job matching. Women's concentration in a narrow band of traditional areas has kept wages down or produced stiff competition among women entrepreneurs. While data show that more and more women are entering traditionally masculine professions or training, it is important to establish if they

are able to land jobs for which they are trained. In one instance, only 6 percent of the women who participated in a project to train women in non-traditional trades that was launched in the early 1990s landed a wage job or plied their trade (NMYC 1994, cited in Illo 2002b). The low employment rate was attributed to the absence of a market study before the project to ascertain demand of women trained in nontraditional skills, and to a focus on basic industrial skills instead of channeling them further to advanced or upgraded skills.

323. There is a need to expand the review of curricula, schoolbooks and instructional materials up to the tertiary level in both private and public schools to eliminate stereotypes and include gender-sensitive ideas such as joint parenting, reproductive rights and non-violent forms of handling conflict, among others. At the same time, teachers and school administrators in all levels need further training for a more gender sensitive approach to education.

## Article 11
## Employment

**Elimination of discrimination in all aspects of employment; appreciation of marriage and maternity concerns; continuous review of protective legislation**

### A. WOMEN'S SITUATION

324. The Philippines has been a signatory of various International Labor Organization (ILO) Conventions, including those that pertain to eliminating gender-based biases in the workplace. In view of this, the Philippine government has put in place a number of measures that sought to protect women workers and to eliminate discriminatory practices in the workplace. The Revised Labor Code provides the following: night-work prohibition, provision of facilities for women, maternity leave benefits, and provision of family planning services. Labor legislation also exists that prohibit discrimination against any woman employee with respect to terms and conditions of employment (compensation, training and promotion) solely on account of sex, and requirement as a condition of employment or continuation of employment that a woman employee not get married, or discharge of women employees on account of her pregnancy. In 1995, the Philippine Congress likewise passed Republic Act 7877, also known as the Anti-Sexual Harassment Act of 1995.

325. In the last decade, Filipino women have become increasingly as active as men in providing for the economic needs of their families. They are in all kinds of employment and, formal or informal work settings, in public and private offices, factories, on the streets, or in homes here or abroad as domestic workers, health workers and performing artists. There are, however, problems and risks faced by women in economic zones, domestic service, the informal sector, as overseas workers, civil servants and even as working girl children.

**Participation in the labor force**

326. As in previous years, the labor force participation rate (LFPR) of women in the Philippines has been rising, with a dip noted in 2000 (Annex Table B11.1). The female LFPR for 2001 and 2002 are the highest so far (52.8 percent and 51.7 percent, respectively; NSO 2003c). The

number of women entering the labor market has been increasing over time, reaching 13.1 million in 2003. However, as of October 2003, the LFPR of women decreased to 50.9 percent.

327. Partly because of the way the labor force surveys generally discount a large part of women's work, female LFPR continues to be significantly lower than male LFPR. In 1996, it was 49.0 percent versus male LFPR of 82.7 percent, and 51.7 percent and 80.8 percent, respectively, in 2002 (Annex Table B11.1).[17] The spread between male and female LFPR is greater in rural areas, where work opportunities are seasonal or intermittent and where women generally work as unpaid family labor in farms or other family enterprises. The largest gender gap in LFPR, however, was recorded in the Autonomous Region of Muslim Mindanao (ARMM). There, male LFPR is almost three times higher than female LFPR (Illo 2002b). Cultural norms in many Muslim groups limit women's mobility and involvement in trading and other activities that take them away from home, keeping women's LFPR to a low 35.6 percent in ARMM and 43.6 percent in Zamboanga by April 2003. The women's situation was made worse by the continuing peace and order problems in the area.

328. The gender gap has been narrowing in both urban and rural areas, and across age groups (Annex Table B11.2), as women actively seek paid work in a difficult economic environment that has made a number of men withdraw from the labor market. The improvement in women's labor participation was most consistent in the age group 25-34 years.

**Employment and unemployment**

329. In October 2002, 11.8 million women were employed in a wage job or other gainful occupation. This was 1.7 million more than that reported in 1996, or an increase of 2.8 percent per year. The growth in male employment was more sluggish at 1.1 percent per year. Nonetheless, women accounted for 39.1 percent of all employed workers, the highest during the last six years (Annex Table B11.3). By October 2003. the employment rate of women is 89.7 percent.

330. Comparative employment rates of women and men for the period 1996 to 2002 are shown in Annex Table B11.4. There was an overall decrease in employment rates for both women and men between the two periods as a result of the crisis in 1997 from which the country is barely recovering. Slightly more urban women lost their jobs compared with their rural counterparts during the period.

*331.* Relative to men, women's employment or livelihood chances are better in urban areas or in regions that can offer educated women jobs in offices, or that have a manufacturing base that

[17] In most places in the country, the gender gaps in labor supply connote three things. The high fertility rate in the Philippines (3.5 births per woman, compared to 1.9 in Thailand, 2.6 in Indonesia, and 3.0 in Malaysia; ADB 2001) ties women to childbearing for years. Added to this are the years involved in childrearing, a result of a sexual division of labor at home that leaves childcare to women. Unless child minders are available, women tend to limit their economic involvement to enterprises that they could do at home or close to home. Informal-economy work has allowed many women to combine home and market work, as apparent in a similar LFPR-age pattern for women and men. The persistent crisis situation, however, seemed to be pushing all women, including those who are in age groups that are associated with having young children, to join the labor market in increasing number.

can absorb skilled female and male labor, or have a thriving informal economy where enterprising women can open small stalls, or accept laundry jobs or production subcontracts. This is most evident in the National Capital Region, where female employment rate has been much higher than male employment rate (NSO 2002). In Southern Tagalog, with its economic zones and the supplementary activities they promote, as well as in more industrial parts of the Visayas, women's employment rate approaches that of men. In contrast, in regions with large rural sections and where agriculture is the dominant sector, female employment lags behind male employment. In these areas, women are mainly viewed as secondary workers (*unpaid* family labor).

*332.* The impact of cultural norms on women's economic involvement is apparent in the employment rates for two regions. In the Cordilleras, various cultures (including the Kalinga, Kankanaey and Ifugao) allow women great mobility and involvement in mining, agriculture and trading, in addition to a variety of micro-enterprises. A number of women have moved with their families to Baguio City and other places, there to ply their trade, beg, or embark on new livelihood (Josef 2002). All this active economic participation is reflected in an employment rate as high as the men's. In the Muslim regions, in contrast, reported female unemployment rate is much higher than that of the men's.

*333.* As in many economies, unemployment is highest among young workers. In urban areas, the least employable workers are male teenagers, while in rural areas, female teenagers (NSO 2003c). Women workers in the 15-24 years age bracket have the highest unemployment rate, 22.2 percent in 2000 and 23.8 percent in 2003. Teen-aged jobseekers are likely to be school leavers, choosing to work rather than finish high school or college. The search seems to be harder on young women who have been in school longer but have not stayed long enough to complete college. To help young people in their search for a job, the government has installed a Public Employment Services Office (PESO) in many towns and cities. Out-of-school youth could also pick up industrial and livelihood skills in government-run or affiliated non-formal education or technical training centers; or they could join any of the apprenticeship programs offered in cooperation with the private sector. Neither the training centers nor the apprenticeship programs, however, are easily accessible.

*334.* The government has also initiated direct job creation for out-of-school youth. It reportedly provided "emergency employment" to 78,563 out of school youth from July 2001 to April 2004 under the Kalingan sa Kabataan Program (SONA as of April 30, 2004). Moreover, from July 2002 to January 2003, its Project OYSTER (Out-of-School Youth Serving towards Economic Recovery) trained 62,162 out-of-school young women and men nationwide in various livelihood and skills areas. While these efforts do generate employment and livelihood for young people, the jobs are very short-term or of questionable sustainability.

*335.* Unlike middle-educated male workers who could work in a wider array of jobs or occupations in construction, transportation and industry, women have more limited choices. Thus, not surprisingly, male unemployment is consistently lower at each education level than female unemployment. Moreover, women's higher education does not serve them well in rural areas, where jobs (such as farming) demand skills that are education-neutral. But where jobs require a college degree, female employment rate exceeds that of the men. It explains the wider rural-urban differences in male employment rates, implying that males with low education may find

work more easily in farms and rural enterprises than in cities. Among the women, the gaps are not so discernib.e. Educated women may have better job or livelihood opportunities in cities, but they have to earn enough to pay for domestic helpers, while rural women may not have as well-paying jobs as their urban peers, but they are more able to combine wage and farm work with their household responsibilities.

*336.* Overall, wage and salary workers constituted 47.7 percent of all employed workers in 1996 and 48.3 percent in 2002. By October 2003, women accounted for 37.5 percent of total wage and salary workers. More than half of the employed were not working for wages but were instead working on their own account as self-employed workers or employers (about 38 percent in 2002) or as unpaid family workers (14 percent). Women accounted for the majority of unpaid family workers, while men dominated the own-account workers (Annex Table B11.5). By October 2003, women accounted for 33.2 percent of self-employed workers/employers and 54.9 percent of unpaid family workers. Men also outnumbered women among the wage and salary workers, although the proportion of women workers in wage jobs has been increasing since 1996 at least.

**Occupational distribution, hiring practices and trade union membership**

337. Jobs and livelihood in the Philippines are largely provided by the private sector, which absorbs about 43 percent of the wage work force. Government or the public sector employs about six percent. The balance is accounted for by unpaid family workers (10 percent) and self-employed workers (40 percent).

338. In 1998, about 40 percent of the workers were in agriculture, 32 percent in trade or services, 10 percent in manufacturing, 5 percent in construction, and the remaining 13 percent in mining and quarrying and the utilities industry (BLES 2000). Filipino women are dominant in two broad industrial categories: trade, especially small-scale retail trade; and services, primarily in community, social and personal services. The same pattern was noted in the October 2003 Labor Force Survey, where women outnumbered men in the education sector (75.8 percent), health and social work (76.2 percent), wholesale and retail trade (60.2 percent) and hotels and restaurants (56.5 percent). Meanwhile, women continue to be a minority in construction (2.0 percent), transport, storage and communication (4.7 percent), mining and quarrying (5.9 percent) and fishing sectors (7.4 percent) and electricity, gas and water sectors (18.4 percent; NSO 2003c). The manufacturing work force was 45.0 percent female, while agriculture was 27.8 percent female._Outside of Muslim societies that frown on women's involvement in trading, "selling" is reserved for people who exhibit "feminine" traits like patience, caring and nurturance, attributes that are viewed as important in building a core of loyal customers in the overcrowded small-scale trade sector. In large wholesale and trading firms, however, male workers outnumber women.

339. Women dominate clerical, sales and service positions. In October 2003, as before, there were more women than men among the professionals (67.4 percent), clerks (66.1 percent), and government officials, corporate executives, managers, proprietors and supervisors (55.7 percent; NSO 2003c). There were also slightly more women than men among service workers (50.2 percent). Their college education or technical training has helped them secure jobs as teachers, nurses and midwives, positions that are classified under "professionals" but may also

be viewed as extensions of women's gender roles. In comparison, male workers were in "masculine" occupations that required physical strength. Hence, women are a minority among machine operators and assemblers (8.9 percent), farmers, fishers and forestry workers (15.1 percent), trade and related workers (26.1 percent) and laborers and unskilled workers (44.3 percent).

340. The concentration of women workers in certain industries or occupations may be linked to gender-based choices of college training or career, as well as to "pre-employment sex discrimination," as evident in sexist job advertisements (Morada and Santos 1998). Between 1975 and 1995, the Bureau of Labor and Employment Statistics noted a general decline in the proportion of discriminatory print ads, especially during the 1975 to 1985 period; but observed, as well, a strengthening preference for female accountants and male waiters. In fact, there also seemed to have been reversals in the direction of bias. In 1975, for instance, employers wanted male accountants and female cooks. Twenty years later, they were advertising for female accountants and "male chefs."

341. For other fields, gender biases persisted. Females continued to be preferred for some posts: cashier, secretary, nurse, teacher, waiter, and weaver. The gender bias seems to rest on employers' notion of women as (more) trustworthy, honest, meticulous, and patient. Like the garments industry of the past, semiconductor and electronic firms reportedly prefer young women because "they settle for low wages, their fingers are nimble, and they are patient and docile" (Aganon 1999:71). "Preferably male" notices were noted for the following: driver, messenger, mechanic, and security guard. As women engineers increase and more women perform well as managers, the bias for men in these fields has not been as rigid as before. Such an easing up of employers' gender biases is expanding job opportunities for both women and men.

342. In 1995, trade unions numbered 7,882, with a total membership of 3.6 million. They increased to 9,374 in 1998 and 10,296 in 2000 (NSO 2002). In 2002, there were 11,365 labor organizations (BLES 2003a). By September 2003, these increased to 11,796 (BLES 2003). Meanwhile, union membership rose from 3.92 million in 2002 to 3.96 million in September 2003. Women account for no more that a third of its members. About 75 percent of the women trade unionists were from the private sector and 25 percent in the public sector. The labor department estimates that women account for about 26 percent of the trade union leaders.

343. Apex labor organizations, such as the Federation of Free Workers, National Federation of Labor (NFL), and Trade Union Congress of the Philippines (TUCP), as well as their affiliate unions, have sought to address gender concerns in various ways (Illo 2002b). NFL appointed a woman general secretary for the first time. One labor organization involved creating leadership opportunities for women by allotting several seats for women in the board and/or forming a special group to oversee programs or projects related to women members, and lead the GAD advocacy within the organization. Another focused on building leadership capacities of women members and, in the case of the Federation of Free Workers, preparing women members to participate in negotiations for collective bargaining agreements (CBAs). A third area of GAD advocacy is sexual harassment (see relevant section, below), while another concerns women workers in the informal sector.

**Employment terms and work conditions**

344. Regular full-time workers in the Philippines put in at least 40 hours a week. Workers who are paid per piece or per hour of actual work, as well as unpaid family workers and own-account workers keep variable hours. In the late 1990s, domestic service workers worked the longest. Urban women kept the longest average hours in a wage job or enterprise; rural women, the shortest. The gender gap in working time was largest in rural areas where work in the field or a rural enterprise was sporadic and far in between (Annex Table B11.6). When home production time was factored in, women's average leisure time was shorter than the men's by an hour in rural areas and two hours in urban areas (Lim 2000). These differences in home production time continue to create problems for women.

345. Part-time workers, or those working less than 40 hours a week, accounted for 34 percent of all employed workers in 1998 and about 35.4 percent in 2003 (Annex Table B11.7). They increased by an average of 6.1 percent between 1998 and 2002, or roughly double the growth rate of the employed population (BLES 2003b). But while there continued to be more part-time workers among the women than among the men, the gender gap has narrowed over the years.

346. In 1992, women workers were paid lower hourly earnings, on the average, than do men (PHDR 1997). Gender income difference were largest in sales and the service sectors, where men were found in the bigger firms that can pay more while women are in micro and very small enterprises. In firms employing 10 workers or more, women in some male-dominated fields were paid more than the men. This was mainly because the few women in these industries occupied relatively higher positions (Illo 2002b). In 1996, women's average monthly earnings exceeded the men's by 29 percent in construction and 28 percent in transportation and communication; the comparable figures in 1998 were 47 percent and 35 percent, as male laborers were laid off during the crisis (BLES 2003c).

347. Using selectivity-corrected gender wage differentials (or the difference in the hourly wage rates of the average male and female wage earner, with the difference expressed relative to the women's hourly wage rate) derived from wage regressions, male workers' wages were found to be 41 centavos more than the women in 1988, 21 centavos more in 1991, and 17 centavos more in 1994. These suggest a diminishing gender-based differentiation (Alba n.d.). Among college graduates, this is partly due to changes in labor demand and partly to the mandated upgrading of salaries of government employees in low and middle levels up to management levels (Republic Act 6578, or Salary Standardization Law). The latter doubled the salaries of public school teachers, nurses, clerks and other public sector workers, many of whom are female.

348. The Labor Code provides for the payment of minimum wage to workers. In recognition of cost of living differences, the government has mandated regional tripartite and productivity boards to set the minimum wage(s) in their respective areas of responsibility. Workers have won wage concessions from government and employers in the form of cost of living allowances, holiday pays, and one-month bonus. Additional compensation has also been included in collective bargaining agreements. However, government labor inspection data reveals that at least a fifth of establishments routinely violated the minimum wage law: 19.6 percent of the 77,849

inspected in 1995; 25.5 percent of 37,080 in 1998, and 26.4 percent of 33,914 in 2001 (BLES 2003d).

349. Another piece of legislation (RA 6725, enacted in 1989) sought to strengthen the prohibition on discrimination against women with respect to terms and conditions of employment. The labor department has since issued the Implementing Rules, which defined "work of equal value" and set forth the conditions under which payment of a lower compensation or benefits to a female employee does not constitute discrimination. Because of the ambiguities in the implementing rules, however, the pay equality provision has yet to take effect, and compliance of employers monitored.

350. The Labor Code provides for the payment of overtime pay for work performed on holidays and beyond regular working time. Of the firms inspected by government from 1995, about 3.3 percent were found to have either underpaid or not paid their workers for overtime work rendered. This rose to 3.9 percent in 1998 and 1999, but later settled down to 3.5 percent in 2000 and 2001 (BLES 2003d). Another 10 percent (as compared to 7 percent in 1996) were found to have violated mandated holiday, rest day or service incentive pay. Whether or not workers got paid as a result of the disposition of the cases of violation could not be deduced from the available data.

351. The Labor Code also prohibits night work for women, except in specified circumstances. While this might aim to protect women workers, it discriminates against women, as it does not address the real issue of security for women working at night. Compliance to the night-work prohibition cannot be ascertained, but government has begun to respond to this issue (see section on programs, below).

352. On occupation health and safety, various studies and reports of the Occupational Safety and Health Center (OSHC) highlighted the following issues relevant to women workers:

a. *Exposure to lead and solvents in the semiconductor industry.* Some of the women exposed to lead showed obstetrical and gynecological signs, such as spontaneous abortion (OSHC 1996). Semiconductor and microelectronics companies install local and general exhaust systems to control the ill effects of solvents, but workers, mainly women, frequently complained of narcotic effects and respiratory tract and skin irritations. Although clinical, laboratory and biologic test results were not conclusive on the effects of solvent exposure on workers, continuous monitoring and surveillance of the industry were recommended to prevent the occurrence of possible occupational or work-related diseases, such as the Steven Johnson Syndrome (OSHC 2001a).

b. *Stress in teaching.* Compensation claims filed by public schoolteachers with the Government Service Insurance System (GSIS) and the Employee Compensation Commission (ECC) indicate that teachers usually suffer from heart disease and cardio-vascular accidents, pulmonary tuberculosis, allergy and bronchial asthma, peptic ulcer, and pneumonia. Equally common complaints are malignancy, gastro-intestinal tract disorders, kidney and urinary tract diseases, reproductive disorders and neurological problems (OSHC 1997).

c. *Sleep disorder and other health problems related to night work.* Women workers in a yarn factory do not think of the health hazards of working the night shift and admit to being

attracted by the higher compensation of night shift. Their lack of concern seems to be borne out by a study that noted marginal changes in vital signs (heart rate, heart rate variability, body temperature) that suggest tolerance to night work. However, the study cautioned that physical activity, stress and sleep deprivation could cause some changes in the results (OSHC 2001b).

d. *Exposure to pesticides in plantation work.* In the agriculture sector, plantation workers have long been exposed to chemicals that were sometimes handled without proper protective gear. In 1995, about 3,000 to 5,000 workers were reportedly affected by pesticide poisoning in plantations in Mindanao. A class suit was filed against the erring agribusiness firms. The latter opted for out-of-court settlement.[18]

353. A more endemic issue of women's safety in the workplace, sexual harassment has been widely noted that it spurred women's groups to lobby for the passage of the Anti-Sexual Harassment Act (RA 7877) in 1995. Preventive measures as well as procedures for grievance and complaints were laid down. Since then, victims, mainly women, were encouraged to file complaints. In the civil service, 38 cases were filed with the Office of Legal Affairs of the Civil Service Commission. These resulted in the dismissal of 15 respondents from the service and the suspension of 7 perpetrators for 3 to 12 months. In the private sector, reports have also begun to come in.

**Specific groups of women workers**

Overseas women workers

354. The Commission on Filipinos Overseas (CFO) claims that as of December 2001, a total 7.4 million Filipinos were overseas: 3.1 million as migrant workers, 2.7 million permanent residents, and 1.6 million irregular aliens. Some 1.6 million had been deployed as new hires from 1995 to 2001. A majority (63 percent) of these were women, of whom 45 percent were in domestic service and 33 percent were professionals, mostly as entertainers bound for Japan. A number went to Taiwan and Korea as factory workers. The main destinations of female domestic workers were Hong Kong (46 percent), the Middle East (38 percent), and Malaysia, Singapore and other countries (16 percent). In contrast, most of the men (67 percent) were deployed as production workers. All of the sea-based overseas Filipino workers (OFW), who accounted for 32 percent of all OFW in 2001, were male.

355. Large numbers of Filipinos overseas are undocumented migrants. The Japanese government believes that because of visa restrictions and lack of employment opportunities for skilled workers in the Philippines, half of the more than 40,000 Filipino workers who entered their country in 1998 were undocumented. Two thirds (63.8 percent) of these were women who risk abuse and exploitation (*Sinag* 1999). In Singapore, the Philippine Labor Attaché claims that around 70 percent of the 80,000 Filipina domestic workers there entered as tourists or were recruited by non-accredited employers. This meant that the Philippine government had not reviewed their employment contracts.

[18]Example provided by Jurgette Honculada of the NFL and NCRFW during the 26 February 2002 national workshop of the joint regional technical assistance of the Asian Development Bank and the ILO (Illo 2002b).

356. Overseas Filipino workers continued to experience contract violation or contract substitution that reduces their salaries and spells poor working conditions, violation of local laws and, for women workers, vulnerability to physical and sexual abuse. Domestic helpers in Singapore and Malaysia complain of insufficient food, too much work leaving little time to rest, prohibition of use of the telephone or socialization or daily baths, verbal abuse from female employers, and sexual harassment and lascivious conduct from male employers.

***Women in the economic zones***

357. The Philippine Economic Zone Authority (PEZA) was created to establish, operate and manage economic zones (ecozones) throughout the country. As of December 2001, PEZA was operating or managing four public ecozones and 34 private ecozones and nine information technology parks and buildings nationwide. As of 2003, these zones employed 907,127 workers, 80 percent of whom are women who were mostly employed in garments and textiles, food and beverages processing, wood manufacturing and electronics.

358. Women workers in the Cavite Economic Zone cited as their most serious problems low pay, excessive salary deductions, forced overtime, high production quota and lack of incentives. Other issues were poor ventilation, 'no union policy', unpaid overtime work, non-remittance of SSS payments, non-regularization, as well as sexual harassment, difficulty in availing of maternity leave and issuance of doctor's certificate, and gender bias in promotion. The women further cited work-related health problems: over-fatigue, migraine and headaches induced by lack of sleep resulting from too much overtime work (Pineda Ofreneo and others 1999). Blurred vision, respiratory illnesses and accidents were believed to result from poor working conditions. While companies were supposed to maintain company doctors, they seldom visited and when they did, women were not given time to consult with them due to long hours of work or short breaks. Family planning services were also not adequately provided, in violation of the Labor Code (Edralin 2001). Only seven percent of the firms were unionized and employees were not given the chance to participate in decision-making, which makes it difficult for them to air their problems.

***Women in the informal sector***

359. The informal sector is estimated to have contributed 45 percent on the average of the country's GNP from 1987 to 1993 (ILS 1994). It may be viewed as a seedbed for entrepreneurship that can spur economic development. Despite its poor condition, it possesses a strong potential for enhancing equity and economic growth because of its ability to innovate.

360. Informal-sector workers, or employed workers that do not receive a wage or salary, account for more than half of the country's employment (NSO 2003c). Between 1996 and 2002, the sector has been expanding at about 1.5 percent per year (Table B11.8), slower than the growth in total employment (about 1.7 percent). A large portion of the growth in informal sector employment came from women self-employed workers, whose number has increased by 22 percent since 1996. As heavily protected industries collapsed, workers who were laid off from their jobs sought refuge in self-employment, providing them a means of economic support. With the economic performance of the country still shaky, more workers, particularly women, are being pushed into the informal economy (Illo 1999).

*361.* Three of six informal sector workers are actually small farmers and unpaid family workers. Outside agriculture, self-employed workers account for about 86 percent of the employed, of whom 46 percent are in sales or trading, 28 percent in petty production, and 7 percent in various forms of services (Illo 2002b). The 1995 NSO urban informal sector survey reports that women account for at least 51 percent of operators of non-agricultural enterprises. Most of these involve traditional roles, such as sewing garments or *retaso* (surplus rags from garments industry), laundry and vending food or petty goods along the streets or in markets (Pineda Ofreneo 1999). There is also a preponderance of women among homeworkers in the garments, food, footwear and other manufacturing industries. In the country, five to seven million home-based women workers perform piece-rate work for the export industry and their number is growing. Most of them work under subcontracting arrangements.

*362.* Informal sector workers have very limited access to credit and to social protection enjoyed by employees in the formal sector, mainly because a great number of the workers are self-employed, engaged in marginal activities. In cases where a semblance of employer-employee relationship exists, there are often no formal contracts, but only verbal agreements on the work terms and conditions, as is true for subcontract workers and homeworkers. Thus, informal sector workers generally suffer from irregular employment, low income, and unsatisfactory terms and conditions of work including non-entitlement to social security benefits (ILS 1996).

***Women in government***

363. The Philippine civil service classifies government positions into career and non-career posts. Career positions are permanent or temporary appointments in executive and non-executive posts. Non-career positions cover executive (appointive), elective, coterminous and contractual appointments. Included in non-career executive posts are department secretaries and undersecretaries, chairpersons and members of constitutional offices and other high level appointees; elective officials; and coterminous employees, or confidential or personal staff of elective and non-career executive officials. In 1999, there were more than 1.4 million employees in government. Women formed 55.5 percent of career and 36.5 percent of non-career positions. Although they occupied almost three-fourths of second-level career posts they are outnumbered among decision-makers (career third level and non-career executives) and higher paid employees. They also accounted for a small percentage of elective officials (BLES 2003d).

364. A study on the multiple burden of women and men in government indicated differences in perceived sources of stress at home and at work (OSHC 1999). Significantly more female respondents reported "inability to relax at home" after office work due to pressure of work at home, which is indicative of the multiple burden suffered by working women. The study prescribed flexible working arrangements to allow women to work from home and a stronger support network for women.

***Women entrepreneurs***

365. A survey done by the Women's Business Council in 1998 showed that there were women-owned and led businesses in all sectors, including electronics, and appliances, transportation, real estate, financial consultancy, restaurants, marketing and public relations, and publishing. Most of the women owner-managers of small and medium enterprises, however, were in

manufacturing (41 percent); garments, jewelry and furniture (37 percent); marketing (9 percent); and real estate (7 percent).

366. A Philippine Chamber of Commerce and Industry survey in 1998 noted that women-led firms may be few in number and smaller than male-led firms, but they make a significant impact on the economy. Taken collectively, women-led businesses accounted for PhP7 billion in assets in 1998. However, women generally bring limited work experience and managerial training to their businesses. They are also at a disadvantage because of conflicting demands of business and family and the lack of a network of business contacts and support. All this results in gender-differentiated impact of policies and of crises such as that which hit the Philippines in the late 1990s (Licuanan 1998).

367. Enterprises or businesses secure licenses to operate from the local government unit, but those in the formal economy generally register their names with the Bureau of Trade and Regulation and Consumer Protection (BTRCP) of the trade and industry department. In May 2003, the bureau began disaggregating its business name registration database by sex of the owner. Of those that had been sex-disaggregated, totaling 242,178 business names, about 11 percent were registered as corporations, cooperatives, or partnerships, and 89 percent as single proprietorships. Of the latter, 113,167 were under the name of a woman, which constituted 47 percent of the total business names registered and 52 percent of singly owned enterprises. Because partnerships, corporations, and cooperatives are likely to be controlled by men, one may take 47 percent (rather than 52 percent) as an approximate estimate of the proportion of women-owned SMEs in the country.

Working girl children

368. The 1995 national survey on working children reported that about 1.3 million of the total 3.6 million working children (5-17 years old) were females. Majority came from rural areas and more than a quarter were unable to go to school because of work. More working children (65 percent) lived away from home, and majority (79 percent) of them worked as domestic helpers. In 2001, the number of working children rose to 4.02 million. Male children again outnumbered female children (2.55 million versus 1.47 million), but the female children work force grew at a relatively faster rate (about 2.20 percent per year) than the male children work force (1.90 percent; ILO-IPEC/NSO 2003).

## B. ACTIONS TAKEN

General policy and program developments

369. While taking its cue from the Constitutional guarantees of equal employment opportunity for women and men, the Labor Code acknowledges certain biological and social considerations for working women. Hence, it requires the employer to provide a nursery in the workplace, maternity leave, separate toilet facilities for women and men, family planning services and at least a dressing room for women. However, compliance to labor laws and standards has been low and little monitoring of enforcement of gender equality and women-related laws have been done. These are being addressed by moves to include gender-related issues in general labor

inspection of establishments, develop inspection guidelines on women workers' concerns, and strengthen the national policy on homeworkers.

370. During the period under review, the Philippine Congress enacted several legislation that address gender-based discrimination issues in the workplace. The Solo Parents Act provides that an employer may not discriminate against any solo parent with respect to terms and conditions of employment. Another law, RA 8187, grants a seven-day paid paternity leave to a married male employee in both public and private sectors whose legitimate spouse delivered a child or suffered a miscarriage, to enable him to effectively lend her care and support during and after childbirth and assist in the care of the newborn. In addition, there are bills in the Senate (Nos. 601 and 1248) that seek to empower women by providing for development programs, financial assistance to foster investment in businesses by women, and education and information assistance.

371. In the few cases of discrimination that reached the Supreme Court, the Court has decided in favor of the woman complainant. Consonant with Sec. 2, Art. 11 of the Constitution, the Supreme Court cited the Convention that prohibits discrimination against women with respect to terms and conditions of employment as the basis of corrective labor and social laws where the services of a female employee were terminated because she contracted marriage during employment (Supreme Court Reports Annotated [SCRA] 1997).

372. During the period under review, several studies were conducted that were aimed at promoting better understanding of the effects of globalization on women, gender-based discrimination in the workplace, and the contributions women make to the economy. These studies were undertaken partly in support of policymaking. Among these studies are the following:

a. From 1997 to 2001, the National Statistical Coordination Board engaged in the development of a framework for measuring women's and men's contribution to the economy. It used secondary data and the pilot time-use survey by the National Statistics Office[19] to test a framework for measuring women's contribution in the proposed satellite account in the System of National Accounts.

b. In 2001, the University of the Philippines Center for Women's Studies supported a series of studies to investigate the immediate and long-term impact of globalization on women in various occupation groups: women in the garments industry, indigenous women, and migrant women. The garments industry study in particular noted changes in the structure of the industry, such as the by-passing of middle-level subcontractors due to increased competition and to the crisis that left only big firms surviving the competition; a shrinking market share of domestic producers caused by the flooding of cheaper imports; and increased vulnerability of homeworkers to layoffs and loss of orders due to the introduction of new technologies such as computer-aided embroidery.

c. As part of a joint regional technical assistance of the Asian Development Bank and the ILO entitled "Strengthening International Labor Standards in Selected Developing Member

[19]The pilot time use survey focused on household population 10 years old and over. It aimed at generating data on how they allocate their time to paid work, housework, other non-market work and free-time activities; providing quantitative information needed in estimating the value of unpaid housework; and identifying the factors that influence a person's choice of the use of time and how these are distributed among different population sub-groups.

Countries," a study on gender discrimination in the workplace was conducted in the Philippines from 2001 to 2002. The study stressed the need to address educational practices that track women to a limited band of career and livelihood options, and the gaps between legislation and policies, on the one hand, and enforcement of these policies, on the other (Illo 2002b).

d. In partnership with New Zealand, the Philippines (primarily the National Commission on the Role of Filipino Women and the Women and Gender Institute of Miriam College) prepared a paper on the impact of trade liberalization policies on women (Asia Pacific Economic Cooperation [APEC] 2002), which was presented at the Second APEC Ministerial Meeting on Women held in September 2002 in Guadalajara, Mexico.

Workers' benefits and social protection

373. Private-sector women workers, whether married or unmarried, are granted maternity benefits of 60 days leave in case of normal delivery and 78 days of maternity leave in case of caesarian section. Women's groups claim that some companies violate the law on maternity benefits, but these claims remain uninvestigated as women refuse to come out in the open for fear of jeopardizing their jobs.

374. Republic Act (RA) 8291 amends the GSIS (Government Service Insurance System) Act and expands the coverage of all workers, women and men, as well as the widows of civil servants. Meanwhile, the revised Social Security Act (RA 8282) institutionalizes the expansion of Social Security System (SSS) coverage for self-employed persons, housewives and househelpers. While implementation of RA 8282 remains low, leaving many women still without any social security, the two laws promise the following: life insurance; health insurance, which pays a fixed portion of the cost of various types of hospital expense of all female and male GSIS and SSS members and their qualified dependents; and housing. With a minimal contribution, female and male employees are entitled to housing loans, as well as short-term loans, livelihood loans or provident/savings benefits.

375. Other terms and conditions of work are negotiated through employee associations (for government employees) or unions (for private workers), and through their collective bargaining agreements (CBA). For example, government employees may negotiate, through their employees' association, such concerns as work assignment of pregnant women, scheduling of vacation leaves, shuttle service, more comprehensive medical insurance and even recreational, social or cultural activities. For unionized women workers in the private sector, their CBA have included maternity-related provisions, such as pregnant women being given flexible schedules, non-assignment to night shift, maternity loan, relief of heavy work load, exemption from wearing company uniform or provision of appropriate uniform during pregnancy and granting of SSS maternity benefits in advance. Free pap smear is also provided for all women members as part of their CBA.

*Support services*

376. In 1990, Congress passed RA 6972, or the Barangay-Level Total Development and Protection of Children Act, which mandated the establishment of a day care center in every village. The

social welfare department reports that of the total 41,943 barangays, 37,422 have day care centers, of which 24,026 provide quality day care services. In 2000, a total of 302,874 pre-school children were served by the centers. Despite criticisms that day-care centers provide only little time-off for women to really enable them to undertake gainful employment, this still gives women with young children some time to do other things for themselves if not for income-generation.

377. The Public Employment Service Office (PESO) is a one-stop center created to provide employment information and assistance to labor department clients and constituents of local governments. As noted in paragraph 302, PESC offers employment referral services, such as local and overseas wage employment facilitation, self-employment and livelihood facilitation, and employability enhancement; recruitment assistance for employers; and employment information and guidance services. In the first half of 2001, a total of 456,272 applicants registered, of which 320,123 were placed/assisted. About 50.2 percent of the job placements went to women, but this was still low as more women than men applied with PESO.

378. In 2002, the social welfare department launched a pilot project on night care for children of working women in the night shift. It provides childcare services in an effort to prevent violence against women (for neglecting their children) and abuse and neglect of young children.

Addressing sexual harassment in the workplace and occupational health and safety

379. The Philippines began implementation of the Anti-Sexual Harassment Act in the late 1990s. The Civil Service Commission (CSC) took the lead, instructing government agencies to create a Committee on Decorum and Investigation (CODI) that will address sexual harassment complaints. Guided by the law and CSC rules, the committee defines the offense, identifies specific acts and forms of sexual harassment, and applies penalties depending on the form and gravity of the offense and procedures for the disposition of cases. From 1994 to April 2000, the CSC has received 38 complaints. A total of 15 respondents were dismissed from the service; seven were suspended for periods ranging from three months to one year; and two were acquitted. Fourteen of the cases were dismissed for various reasons, including lack of prima facie case, forum shopping and desistance of complaint. As of 2002, there were 40 cases of sexual harassment filed. Of these, 27 cases were decided in favor of complainants: 17 perpetrators were dismissed from service while 10 were suspended (CSC, 2002).

380. In 1997, the Bureau of Women and Young Workers conducted a series of seminars to train CODI members from the private sector in the handling of sexual harassment cases. Since then, labor unions and NGOs have led the campaign against sexual harassment. The Trade Union Congress of the Philippines-affiliated Disadvantaged Women (DAW) Coalition conducted orientation sessions with management and workers in unionized and non-unionized plants and distributed pamphlets on salient points of the law. In collaboration with PEZA, the Coalition held a number of the sessions for firms in the ecozones (see discussion in paragraph 392 below). By early 2002, some 259 unions or firms had reportedly created their CODI and formulated their anti-sexual harassment policies; 432 sexual harassment cases were being investigated; and 20 complaints formalized. Eight CBAs had included sexual harassment provisions. Although the Coalition is striving to track the progress of their advocacy on sexual

harassment and other issues, monitoring remains a problem. In the part of the government, monitoring of private sector compliance with RA 7877 is non-existent.

381. To address the occupational health and safety (OHS) of women workers, the Occupational Safety and Health Center conducted lectures or training on OHS and provided the following medical examinations upon request: blood lead determination among women semiconductor workers (1996-present), audiogram for women workers in selected manufacturing industries (1996-present), and urine examination for organic solvent exposure for women workers in semiconductor industries (1996-2001).

**Measures for Specific Workers' Groups**

Women in government

382. Paid maternity leave for women workers in government applies to full term delivery and miscarriage. It only applies to married women and involves a leave of 60 calendar days with full pay for employees who have rendered two or more years of service. Benefits of women who have worked less than two years but have one year or more of service are computed proportionate to their length of service, while those with less than a year of service are granted 60 days with half pay. By 2003, CSC recognized the right of unmarried women to maternity leave. Thus, they are now granted the same maternity leave given to married women.

383. In 2001, a bill to establish a Civil Service Code was proposed. It codifies existing laws on civil service and provisions on maternity leave for unmarried women, paternity leave, parental leave for solo parents, and flexible working hours and a provision for a disciplinary action on the ground of sexual harassment.

384. Even without the proposed Civil Service Code, however, the government has initiated the following:

a. Flexi-time (flexible working schedule), which allows workers to report any time between seven and ten in the morning and leave work between four and seven in the evening, provided they complete the required eight-hour workday.

b. Swap Work Assistance Program (SWAP), a scheme that aims to reduce employee travel time by exchanging their post with a counterpart so they can work in a station geographically closer to home. It covers first and second level employees with permanent status.

c. Harmonizing work and family responsibilities through part-time employment, establishment of day care centers in the workplace, special leave privileges, and observance of family week every September. Within the CSC, third- and fourth-level directors who are assigned away from their families are allowed to make regular family visits for a maximum of 12 visits a year, with pay and transportation allowance.

***Overseas women workers***

385. In compliance with the provision of RA 8042 calling for the representation of women migrant workers in the Governing Board of the Philippine Overseas Employment Administration (POEA), the President appointed a former woman migrant worker to this seat in mid-2001.

386. The government has initiated bilateral arrangements and concluded diplomatic negotiations with host countries on the welfare and protection of workers. Some countries have accepted the adoption of skill-specific Standard Employment Contracts (for household workers and performing artists). Social security coverage for workers has been negotiated with Austria, Spain, United Kingdom, France and Canada while that with Italy is being processed. Social security bilateral agreements have been reached with Quebec (as distinct from Canada), United Kingdom, Switzerland and Belgium, but they need to be reviewed and implementing guidelines developed and adopted. New agreements must be explored, including European countries' issuing *au pair* visas for Filipino domestic helpers. Lastly, full bilateral labor agreements have been signed with Jordan, Qatar, Kuwait, Libya, Papua New Guinea, and the Commonwealth of the Northern Mariana Islands. Similar agreements are being worked out with other countries in Asia and the Middle East.

387. Alternative mechanisms in other multilateral fora are being looked into. These include participation in conferences organized by the International Organization on Migration (IOM) that would help coordinate and enhance policies and programs against international trafficking of women migrants at regional and sub-regional levels. In a different vein, the Asia Pacific Economic Cooperation (APEC) has begun to promote women's equal access to development opportunities. It adopted a women-sensitive framework in human resources development programs of member-economies and funded the conduct of a series of gender information sessions with APEC working groups and task forces to facilitate their understanding of the importance of integrating women's concerns in APEC policies.

388. In 2001, major reforms were introduced to streamline the system of training, testing and certification for overseas performing artists (OPAs) with the intention of maintaining its integrity and arresting the malpractices in what has become a complex testing and accreditation process. Embodied in Department Order No. 10-2001 of the labor department, the changes involved replacing the academic training and testing with the Comprehensive Orientation Program for Performing Artists; upgrading the eligibility requirements of training centers, trainers and testing officers; transferring the responsibility of the pre-departure showcase preview to the recruitment industry; and releasing the Artist Record Book to the direct custody of the OPA or through the respective recruitment agencies. The policy assigned the licensing of recruitment agencies to POEA and the accreditation of training centers to the Technical Education and Skills Development Authority (TESDA). Thus, informal talent managers run the risk of violating anti-illegal recruitment and trafficking laws if they fail to be licensed or accredited under the system.

389. In 2002, POEA introduced new rules and regulations for overseas employment that impose stricter entry requirements for new recruitment agency license applicants and stiffer penalties for violators. They also liberalized the requirements in the accreditation of foreign principals and in the processing of papers of migrant workers, while strengthening the accountability of

Philippine Overseas Labor Officers (POLO) and recruitment agencies on their respective obligations and liabilities. In 2001, the labor department through Department Order No. 11, recognized the growing alternative mode of recruiting Filipino household workers to Hong Kong which is cheaper, faster and more trustworthy: recruitment through word of mouth and referral by relatives.

390. After realizing that the minimum age requirement of 23 years old for female performing artists encouraged misrepresentation, the POEA governing board, in 2001, reduced the minimum age for migrant workers to 18 in accordance with the minimum age prescribed under ILO Convention, provided that any age requirement higher than 18 prescribed by the host government must prevail.

391. During the period under review, the Philippine government instituted skills upgrading and skill-specific, and in some cases country-specific, pre-departure education programs. These included:

a. Pre-departure orientation seminars (PDOS) for domestic workers (most of whom are women) that integrates modules dealing with special information needs of women workers, such as gender and development, health and sexuality, HIV/AIDS and self-defense techniques. To upgrade their skill level, POEA instructed TESDA in 1999 to issue certificates of competency to household workers as a requirement for processing of employment contracts for new hires.

b. Comprehensive orientation program for entertainers that aims to ensure job readiness of the OPA, and raise awareness and desire for continuing self-development towards better career options. A system of skills and academic training, testing and certification for OPA was first introduced in 1994 through a series of department orders and circulars, and amended in 2001 and 2002 (see paragraphs 382 and 383 for details).

c. Language training and testing for nurses, in addition to verification by Philippine overseas labor officials of suitable accommodations for nurses on night shifts prior to deployment.

d. For factory workers, most of whom are women as preferred by semi-conductor and computer firms in Taiwan and Korea, PDOS includes orientation to occupational and environmental safety in the workplace, the use of safety gadgets, and need for the ability to follow instructions and guidance through colors, symbols and signs as substitute to written and spoken foreign language.

e. The small but increasing number of women seafarers working aboard cruise-passenger lines or floating hotels as waitresses, chambermaids or entertainers, are subject to the international training standards for safety that is required to all seafarers by the 1978 Standards of Training, Certification and Watch-keeping, as amended.

392. Female POLO, consisting of women labor attaches, welfare officers and welfare center coordinators are assigned in host countries that have large populations of Filipino women workers, and are under the administrative jurisdiction of the Philippine diplomatic missions. In April 2001, women labor attaches were posted in Hong Kong, Korea, Singapore and eight other

countries. Female welfare officers were found in Hong Kong, Singapore, Tokyo, Osaka, Taiwan, Kuwait, Dubai and Greece; and women welfare coordinators headed the welfare centers in Hong Kong, Brunei and Dubai.

393. The National Labor Relations Commission (NLRC) has created a Migrant Workers' Desk, which provides guidelines on how to pursue claims for money, injury and damages of overseas Filipino workers, including those who are victims of trafficking. The Desk is handled by women and is headed by a Labor Arbiter (or labor judge per Supreme Court instruction).

394. Employment contracts define the terms and conditions of employment of Filipino migrant workers, following compatible provisions of the laws of the Philippines and the host country while making reference to any international convention or stipulations in bilateral agreements. Since Philippine recruitment agencies are jointly and solidarily liable with their foreign principal, the worker can lodge contract-violation complaints with NLRC and POEA, naming the recruitment agency as co-respondent. From July 1995 to September 2001, about 3,370 cases a year were lodged with NLRC regarding claims for illegal dismissal (43 percent) and money or disability claims (49 percent). The annual disposition rate is 63 percent. In 1999, about 33 percent of the cases were filed by women workers.

395. Beginning in September 2002, OFWs in some destinations could avail themselves of additional welfare services on site under the program "International Social Welfare Services for Filipinos" of the social welfare department. As part of this program, the department deployed the first batch of social workers to five Middle Eastern countries (Abu Dhabi, Dubai, Kuwait, Qatar, and Saudi Arabia) and three Asian destinations (Singapore, Hong Kong, and Taiwan); and fielded a social welfare attaché in Malaysia and social workers on secondment in Japan. They are expected to render direct services (transportation, shelter, and food assistance); case management, including referrals to other social services, counseling, group therapy, and filing of cases; jail and hospital visits; values enhancement and skills training; and advocacy and social mobilization. A year since their deployment, the social workers have been able to assist 6,429 Filipinos: 3,820 in Malaysia, 158 in Japan and Hong Kong, and 2,451 in other countries where the social workers serve as technical assistants to the labor attaché. About 90 percent of the clients are women, aged 22 to 40 years; the rest are men and children.

396. During the period under review, the Overseas Workers' Welfare Administration (OWWA) implemented a number of programs for overseas workers' security and social protection. Among these are:

a. Repatriation assistance, which is supported by a budget of PhP100 million for emergency repatriation of documented workers and facilitate the safe return of distressed overseas Filipino workers (OFW).

b. Insurance program, which provides insurance coverage for all OFW who paid the OWWA fee. In 2000, around 472,153 OFWs enrolled under the program and insurance claims of PhP14 million were paid out to 4,310 claimants. Of the claimants, 10 percent are women workers.

c. Disability assistance, which comes as cash reimbursement of PhP1500 to PhP10000, depending on impediment grade levels, paid to migrant workers who have sustained injury or suffered disability while working abroad. As of 2001, 633 women workers availed of such assistance.

d. Burial assistance, which involves the payment of P10000 or less to the legal beneficiaries of a deceased worker. It may also be availed of OWWA members who are no longer covered by the insurance program. In 2001, some 945 families of female workers were provided burial aid.

e. Financial aid, which consists of monetary donations of PhP5000 or less to OWWA members who are no longer qualified to avail of any other social benefits for members but who are in need of help caused by unavoidable and unforeseen circumstances. In 2001, 3,313 workers (26 percent female) were granted such financial aid. Monetary assistance of up to PhP7000 is also available for indigent former OFW and OWWA members. In 2001, 48 women received this aid.

f. Legal services, which include legal counseling, documentation, conciliation and mediation. In 2002, a total of 2,269 female overseas workers availed of these services.

g. Various scholarships and skills training for target OFW and their dependents. To date, women workers accounted for 76 percent of those who attended the free training course on food processing and agricultural technology for poor but deserving OFW and their dependents, with an optional credit facility to finance livelihood projects. In 2001, some 1,717 female OFW and dependents benefited from the skill-for-employment scholarship program. The scholarship program for the primary and secondary education of children of financially distressed OFW or returnees had benefited 483 children. Of this, 289 (60 percent) were children of female workers.

397. NGOs have been active in information dissemination, education and training. For instance, the Kanlungan Centre Foundation, with support from the ILO, published a handbook for Filipino women domestic workers entitled "Destination: Middle East."

***Women in the ecozones***

398. To protect the interest of women in ecozones, PEZA undertook the following measures. It required prospective inventors to pre-register and submit a Memorandum of Undertaking that prohibits the practice of child labor in their operations. It also partnered with the Federacion Internacional de Abogadas and the DAW Coalition for the conduct of seminars to raise awareness on various laws that concern women workers, particularly the Anti-Sexual Harassment Law. These seminars were held in 11 ecozones, resulting in the formation of Committees on Decorum and Investigation or CODI (see paragraph 374). The impact of the CODI in the ecozone has yet to be studied.

399. The state recognizes collective bargaining as a right of workers and a means of eliminating gender-based wage inequalities. In support of organized labor, the labor department has conducted labor education for unionized and non-unionized establishments, and training and

consultations on negotiation and advocacy leadership with women union leaders and workers from 204 workers' associations and labor organizations. In the public economic zones, seminars were held to promote economic rights among workers, union members and management in locator enterprises, and general labor inspections began to include gender equality-related issues.

***Women in the informal sector***

400. Labor department programs to assist women entrepreneurs in the informal sector included introduction of practical and low-cost improvements to raise the productivity of small enterprises; promotion of rural employment through technical assistance and entrepreneurship training to rural workers, including women; and the women workers employment and entrepreneurship development (WEED) program, an affirmative action to alleviate the plight of the more disadvantaged sectors of Filipino women. WEED provides financial and technical support in the areas of self-employment, entrepreneurship and cooperative endeavors. In 2001, its training component has conducted 209 capability-building activities that were participated in by 6,390 women.

401. In May 2001, the TESDA Women's Center launched the "Kasanayan-Kabuhayan One-Stop Shop," a referral facility that seeks to expand the employment options for displaced workers and informal economy workers, especially women. It has since extended the following services to 801 women: skills assessment, career counseling, information dissemination on support services in overseas and local employment, skills training or retraining, scholarships for training in information communication technology and entrepreneurship development, credit, and networking.

402. In partnership with the Bishops-Businessmen's Conference, National Anti-Poverty Commission (NAPC) Workers in the Informal Sector Council, NEDA and other stakeholders, the labor department implemented in 2001 and 2002 a project for the promotion and protection of the informal sector. With support from the ILO and UNDP, the project produced, among others, the country program for the informal sector, "Institutionalizing the Programs and Policies for the Informal Sector through the Local Governments." The Social Development Committee of the Cabinet approved it in July 2003. It will replicate the lessons from the pilot, including capacity development of local government units to support their respective informal sectors and the strengthening of organizations of informal sector workers at the local government levels. Informal sector workers in the rural areas were identified as priority under the country program.

403. The social welfare department assists poor and disadvantaged women through two major programs: the Self-Employment Assistance-Kaunlaran (SEA-K), a community-based capability building program in support of micro-enterprise and micro-financing development for the poor and marginalized sector; and the Productivity Skills Capability Building (PSCB) for Disadvantaged Women, which trains women in sewing, toy-making, food processing, ceramics, rattan craft and other livelihood projects. With a budget of PhP460.6 million, the program directly benefited 115,303 individuals, of whom 70 percent were women. It also organized 15 associations of mothers, each group receiving seed capital of PhP100,000 for livelihood projects. As of April 2002, there are 104 PSCB centers nationwide.

404. In June 2002, the Development Bank of the Philippines (DBP) developed a special savings program, the *Maginhawang Manggagawa* Saving Account, for SSS members from the informal sector. It aims to facilitate payment of SSS premiums by informal sector workers by combining regular savings account and an automatic debit arrangement of the SSS member's savings account. It is being tested in three cities in Metro Manila, Cebu City in the Visayas, and Davao City in Mindanao.

***Women entrepreneurs***

405. In 1995, Congress passed RA 7882, mandating the government to assist Filipino women in their pursuit of owning, operating and managing small business enterprises. Under this law, any woman who is certified to have received appropriate training by any government or government-accredited training institution is eligible to avail of loans from government financing institutions that have been tasked to set aside five percent of their loan portfolio for women's projects. In 2001, the trade and industry department reported that the DBP and Land Bank of the Philippines combined had released close to PhP4 billion to implement RA 7882, aiding about 4,000 women nationwide.

406. As discussed under Article 10, the government instituted in 1996 an affirmative action policy in TESDA to ensure that women are trained in industrial courses traditionally dominated by men, thereby preparing them for higher level of employment, responsibilities and pay. The policy requires that at least 10 percent of total TESDA annual training graduates are women. TESDA has since been training women in non-traditional skills. In 1998, a total of 317 women graduates have undergone training in non-traditional courses (Annex Table B10.5). For 1999-2001, a total of 479 women were trained in traditional trades, while 172 women were trained in non-traditional courses such as automotive, welding, ceramics and electronics.

407. Apart from TESDA, the trade and industry department's Specialized Training Centers and regional offices also conducted skills and livelihood training in areas, such as gifts and houseware, garments and accessories, electronics and telecommunications, metal engineering, construction services, agro and forest-based activities. They also had training programs for wholesalers, retailers, cooperatives, managers and supervisors. The Cottage Industry Technology Center offered training in the following livelihood areas: dressmaking, flower making, bag making, holiday décor-making, novelty items, homemade paper-making, food processing, handloom weaving, basketry and pottery.

408. Interest in lending to women SMEs has been spurred by legislative action and advocacy by the trade and industry department and women in business, all of which crystallized in the National SME Development Plan. In support of this plan, GFIs collaborated to design a uniform lending program, tailoring it to meet the funding needs of SMEs. Called the SME Unified Lending Opportunities for National Growth or SULONG, the program seeks to simplify and standardize lending procedures, thereby creating a "wider, borderless financing system" to address the short-term and long-term needs of SMEs. Among the participating GFIs are DBP, LBP, National Livelihood Support Fund (NLSF), Philippine Export and Import Bank (Philexim Bank), Quedan and Rural Credit Guarantee Corporation (Quedancor), and Small Business Guarantee and Finance Corporation (SBGFC). The expanded access of SMEs to funds has reportedly created jobs. The government claims that from January to October 2003, lending to

SMEs reached a total of PhP21 billion, compared with PhP6 billion from July 1998 to December 2000 (SONA 2004). Moreover, 52 SMEs were said to have graduated to a higher level within six months of program implementation.

409. The Women's Business Council of the Philippines (WBCP) was created by the trade and industry department in 1997 to be "the premiere advocate and resource for the Filipino women in business." Since then, the council has conducted a three-country study (Malaysia, Thailand, and the Philippines) of women's contribution to the economy and the impact of the 1997-1998 financial crisis on women's businesses. It also has various programs that aim to improve women entrepreneurs' access to skills, information, markets, and credit.

a. *Access to skills and information.* The WBCP developed and conducted gender-sensitive seminars, including those on business entrepreneurial startup; business improvement, survival, and expansion; business development; and trainers' training. These capability-building programs and the greater awareness of training graduates of their rights as women and entrepreneurs have reportedly honed their decision-making abilities and self-confidence, enabling them to become more assertive and more active in community activities.

b. *Access to markets and business linkages.* The WBCP helped link Filipino women entrepreneurs with markets overseas through training in exports of handicrafts to Canada. This has allowed 60 women entrepreneurs access to practical information on how to enter the Canadian market, resulting in an expanded network among local women exporters; the hosting of an international convention that focused on business matching; participation in an international live video conference linkup with Australia, China, Malaysia, and Singapore; and membership and leadership in international organizations of women in business, such as the Confederation of Women's Business Councils in APEC and the Global Summit on Women.

c. *Access to credit.* A few years after its creation, the WBCP successfully negotiated a PhP3.1 billion lending window for women in SMEs with leading government financial institutions (GFIs), such as the Land Bank of the Philippines (LBP), the Development Bank of the Philippines (DBP), and the Small Business Guarantee Financial Corporation (SBGFC), and private banks, like Banco de Oro and Equitable-PCI Bank. The council has actively disseminated the trade and industry department's SME Unified Lending Opportunities for National Growth (SULONG) and has assigned two consultants to assist and mentor WBCP members on the program.

410. Women entrepreneurs can also tap the Transactional Guarantee and Direct Financing Facility, a program that aims to meet the financing needs of SMEs for specific or one-time transactions. In August 2001, the government restored the policy of providing government guarantees to SMEs. Since then, guarantees for 466 loan accounts, amounting to PhP1.7 billion, have been approved.

**Working girl children**

411. Due to intensive lobbying and advocacy efforts, the Philippine government ratified ILO Convention 138 (Minimum Age for Admission to Employment) in 1998 and ILO Convention 182 (Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor) in 2000. To enforce these conventions, the labor department has formulated policies and developed and implemented programs and projects to progressively eliminate the worst forms of child labor. In 1999, it issued an updated list of hazardous work and activities for working children, which includes, among others, work which exposes children to physical, psychological and sexual abuse such as those in lewd shows, cabarets, bars and dance halls. As of end of 2001, there had been five convictions against persons who violated RA 7658 (minimum employable age) and RA 7610 (special protection against child abuse, exploitation and discrimination), particularly on the use of children in obscene publications and indecent shows.

412. The government campaign against child labor is contained in the National Program of Action against Child Labor, which has as its flagship activity, the *Sagip Batang Manggagawa* (Save the Child Worker) Project. Officially launched in 1994, the project is an inter-agency quick action mechanism led by the labor department for detecting, monitoring and rescuing child laborers in hazardous and exploitative working conditions. An interdisciplinary team attended to the rescued children for their healing and reintegration with the family and community. From 1993 to the first semester of 2001, the project launched 303 rescue operations, liberating 1,000 minors from slave or bonded labor, prostitution and other hazardous activities. In 2000, a new program framework covering the period 2000-2004 was crafted, which focuses on eliminating the worst forms of child labor; transforming the lives of child laborers, their families and communities; and ensuring that the children will be protected and/or withdrawn from hazardous activities, healed and reintegrated into a caring society.

413. The labor department's inspectorate program targets establishments suspected of employing child workers. To strengthen the program, the department, through the Bureau of Working Conditions, conducted in 1995 Specialized Training of Labor Inspectors on Child Labor, and developed a supplement inspection form on violation of the anti-child labor law. From 1996 to 2000, a total of 568 female child workers were found in 255 establishments. Children in hazardous work were removed outright from the establishment but with restitution of unpaid benefits.

414. From 1997 to 1999, the regional offices of the labor department launched their own initiatives. The Northern Luzon office implemented an ILO project, "Integrated Prevention and Protection Program of Children in the Tourism and Hotel Industry." It organized a support network of concerned citizens against child labor among owners and managers of hotels, tourism and entertainment establishments assisting in the program implementation. This increased awareness among the owners, their staff and their customers about the issues on child labor, benefiting girl-children from different provinces who were illegally recruited and abused. In the Visayas, Southern Luzon and Bicol regions, the labor department implemented an operational plan to curb trafficking of children for exploitative employment. The plan consists of intra and inter-regional schemes designed to closely monitor children being illegally recruited in the provinces.

*415.* On 17 January 1998, the Philippines hosted the launching of the Global March Against Child Labor. Child laborers, trade unionists, representatives from church groups, government and NGOs joined the Global March to mobilize worldwide efforts to promote the rights of children, including the right to be free from economic exploitation and from performing any work that damages the child's physical, spiritual, mental, moral and social development.

## D. REMAINING ISSUES AND CHALLENGES

### Globalization and economic liberalization

416. Despite the interventions to address women workers' issues in various fields, there are challenges that require serious attention.

417. While some sectors may have benefited from economic and trade liberalization policies, the policies have eroded women's economic situation and status, as companies increasingly resort to flexible labor arrangements (by reducing the core of permanent workers and increasing temporary and casual employees, part-time or home-work arrangements) to stay globally competitive. Flexible employment is usually beyond the reach of labor legislation and social protection. Displaced women workers who join the informal sector have to make do with stagnant wages or returns to labor while prices increase. Incorporating gender into the scope of economic inquiry and analysis of economic policies can bridge or level opportunities for both sexes in an economic setting, as this means taking into account how these policies affect the gender wage gap, job security, and the quality of jobs of women and men.

418. To minimize the negative impacts of globalization on women, more social protection measures must be provided for women workers. Increasing access to social insurance benefits and legal protection to women in various types of informal activities should be prioritized. To bring this about may involve considering alternative social insurance schemes, and supporting social groups that are able to provide the necessary framework of social solidarity and mutual insurance and protection. Group-based strategies for mobilizing internal savings and credit services should also be considered.

419. Women in small and medium enterprises need safety nets, as they face stiff competition from cheap products from other countries. Like other local industries, they require reasonable protection to shield them from too cheap imported goods and services.

420. Overseas labor migration continues to pose dangers, particularly to women workers. Initiatives to forge bilateral and multilateral agreements with receiving countries should be treated as short or medium-term measures, since the long-term solution to labor migration problems lies in the creation of sustainable local employment for its female and male citizens. Dollar remittances of overseas migrant workers should be invested in the development of viable and globally competitive industrial and agricultural enterprises that will generate jobs in the country, ensure food security and boost the country's financial capacity to provide adequate social services.

421. Gendered impacts of globalization, as reflected, for instance in economic liberalization policies, should be investigated systematically. This requires disaggregating by sex, sector and sub-sector, employment data, wages, hours worked and nature of work (part-time, full-time; time-

rated, piece-rate), ownership of establishments retrenching or closing, workers affected by non-compliance to labor standards, compliance data on gender equality standards, and the like. The situation of women entrepreneurs needs looking into, but it has been difficult to establish a database on them.

**Work conditions and social protection**

422. The Anti-Sexual Harassment Law has to be reviewed, particularly the scope and its enforcement in the private sector. Presently, the law is not clear as to which agency should monitor private sector observance of the law. Data on its implementation in this sector are also not available.

423. Compliance to labor legislation on gender-based discrimination need to be monitored regularly and sanctions imposed on violators. One may assume that if compliance rates to general labor standards, such as the minimum wage, and payment of SSS premiums by employers are low, compliance rate to gender equality standards would also be low, if not lower.

424. Occupational hazards persist for women, men, girls, and boys. These may be greater in the informal sector and in small enterprises where workers are often not aware of the occupational hazards and risks they face. There is a need to disseminate a wide range of information to raise the awareness on the risks and dangers and the needed precautions for those in hazardous occupations. This can be reinforced with continuous seminars for small and medium enterprises in hazardous industries to enlighten both the workers and the owners about the dangers inherent in their jobs.

425. Data on beneficiaries must be disaggregated by sex to determine how many women and men avail of and have access to social benefits. This is particularly important in light of the fact that women have higher life expectancy than men and depend on their pension as support in their old age. On health insurance, there is a need to advocate for the provision of full benefits to beneficiaries who will pay the full cost of hospital charges, doctor's fees, surgical expenses and surgical or family planning procedures.

**Support for self-employed workers, particularly those in the informal sector**

426. Workers in the informal sector continue to face problems related to social protection. There is the difficulty to access formal social security measures due to the complexity of the SSS administrative processes from registration, collection of contributions, and verification of claims to actual provision of the benefits. Given the irregularity and seasonality of informal sector workers' incomes, their financial capacity to pay the required contributions, by itself, is already a serious concern. Identifying the correct and necessary amount of contribution and mode of collection further complicate the problem. Also, there are acknowledged difficulties with respect to the adjudication of benefits, such as requirements and procedures for access, particularly for the self-employed. Finally, informal sector workers are hardly organized. This fragmentation and, sometimes, isolation, makes it extremely difficult for social development agencies and, probably, specialized insurance companies to reach them for the extension of social protection and support services.

427. The informal sector is a highly heterogeneous group. This should be considered when developing a comprehensive social protection strategy, be it in the area of expansion of coverage under the national security system or propagation of innovative schemes. Needs and capacities are as varied as there are varied groups. There is a need to identify, particularly, those groups that are difficult to organize for assistance.

428. Women entrepreneurs need technical and capital assistance if they were to go beyond micro-enterprises.

429. There is also a need to review the situation of domestic helpers towards giving them appropriate training to elevate their position as professional workers who can demand more reasonable wages. The implementation of the law for domestic workers is not being adequately monitored in terms of minimum salaries, educational benefits and membership in the SSS. Thus, the adoption of a bill on the Magna Carta for Household Helpers or the "*Batas Kasambahay*", a bill that seeks to institutionalize and uplift the minimum working parameters and standards of the household helper industry, needs to be pursued in Congress.

## Article 12
## Equality in Access to Health

**Equality in the field of health care; access to health care services, including family planning; appropriate and free services pertaining to pregnancy, confinement and post-natal period; adequate nutrition during pregnancy and lactation**

430. Health is a basic human right. Article II, Section 15 of the Constitution provides that the "State shall promote the right to health of the people and instill health consciousness among them." Meanwhile, Article XIII, Section 11 provides that the "State shall adopt an integrated and comprehensive approach to health development. There shall be priority for the needs of the underprivileged, sick, elderly, disabled, women and children."

431. Women's health encompasses their physical, mental and social well being throughout their life cycle. It is integrated with concerns about reproductive health, sexuality, gender relations, violence against women, women's human rights, access to economic resources for health maintenance and the over-all socio-cultural representation and reproduction of women. The status of women's health impacts not only on the productive capacity of half of the population but also on the health and well-being of the next generation.

### A. WOMEN'S SITUATION

**Health care delivery system**

432. The health department, the lead agency in health, maintains specialty hospitals, regional hospitals and medical centers. It has a regional field office in every region, a provincial health team made up of representatives to the local health boards and personnel. Private sector involvement in maintaining the people's health is enormous, ranging from provision of health services in clinics and hospitals to heath insurance; manufacture of drugs, medicines, vaccines,

medical supplies, equipment and other health and nutrition products; research and development; human resource development; and other health-related services.

433. With the devolution of health services to local government units, every province, city or municipality has a local health board chaired by the local chief executive. The provincial and district hospitals are now under the provincial government while the municipal government manages the rural health units and barangay health stations (BHS). In 1997, there were 1,817 hospitals with total bed capacity of 86,468 or one per 868 people (NSO 1999b). Three years later, the number of hospitals fell to 1,712 with total bed capacity of 81,016, or one per 1,060 people (NSO 2002). Closures were noted in both private and public sectors, but there were more private hospitals closing down (79) than government hospitals (23). By 2001, the 640 public hospitals represented 37.5 percent of the total, up from 35.5 percent in 1997. They also provided more than half of all hospital beds in the country. In 2000, some 15,204 BHS served the 42,020 villages across the country, each BHS catering to about 5,277 people.

434. Although the health care system is extensive, its access, especially by the poor, is hampered by high costs and physical, social and cultural barriers. The number of human resources for health are large but unevenly distributed. Most heath practitioners are in the private sector in Metro Manila and other urban centers. In 2000, the ratios of government health workers to the population were one doctor per 9,797 people, one dentist per 36,481, one nurse per 7,361 and one midwife per 4,503.

435. The uneven distribution of health resources in urban and rural areas put rural women at a disadvantage. Devolving health administration to local governments under the Local Government Code is likely to adversely affect women's health if local governments do not undertake immediate measures to ensure that budgets are allocated, revenues raised, and health workers trained.

Nutrition situation

436. As in most developing countries, the malnutrition problem in the Philippines is more of deficiency rather than excess. Nutritional deficiencies are widespread and recognized as a national problem. The typical Filipino diet consists of rice, fish or meat, some vegetables and an occasional fruit. The series of national food and nutrition surveys conducted by the Food and Nutrition Research Institute from 1978 to 1993 showed a generally declining trend in mean per capita total food consumption and in consumption of major food groups, especially cereals and products (from 367g in 1978 to 340g in 1993) and fruits (from 104g to 77g). Meanwhile, mean per capita total food consumption of vegetables (from 95g to 106g) is increasing. Only the consumption of fish, meat and poultry remained higher than the 1978 level, although there was a significant drop between 1987 and 1993 (from 157g to 147g).

437. The 1998 National Nutrition Survey showed that, compared with the results of the 1993 and 1996 surveys, females and males at various ages experienced similar nutritional deterioration. Generally, females at various life stages were shorter and lighter than their male peers. In terms of prevalence of malnutrition, the following patterns were noted. At age 0-5 years, boys and girls had practically the same nutrition status, while among children 6-10 years old, girls had lower malnutrition rates than boys: 25 percent versus 35 percent for underweight, and 35

percent versus 47 percent for stunting. However, at puberty age of 11-12 years and through adolescent years of 13-19, the females were more at risk than the males of being overweight.

438. Among adults, the females were more nutritionally disadvantaged than the males, having higher incidence of chronic energy deficiency and overweight. Pregnant and lactating women, in particular, had poor nutritional condition, exemplifying the nutritional vulnerability of the female adolescents and female adults. Malnutrition in various forms, especially protein-energy malnutrition and micronutrient deficiencies, persist. Chronic energy deficiency among adults 20 years old and above is more prevalent in women than men. More females than males are afflicted with iron deficiency anemia with highest incidence among pregnant and lactating women. Goiter, thiamine and riboflavin deficiencies continued to be more prevalent among women than men.

**Women's health status**

439. In spite of the persistent problems with nutrition, recent years have shown a steady improvement in the overall health situation of the country. Women appear to have gained from the vigorous health improvement efforts of government and from the progress in the science of medicine and health care. The health conditions of Filipino women have been improving through the years notably in increasing their life expectancy and decreasing their mortality rates (NCRFW 2000).

440. Through the years, the life span of women and men had been increasing. This trend may be attributed to better health services, improving living conditions and better health education, factors that could have also contributed to the decline in mortality rates. It must be noted that the fall in death rates had been greater for females, especially during infancy and at older ages. Women continue to live longer than men, and the gender gap has widened between 1990 and 2000. In 1990, female life expectancy was 66.4 years, which was 3.6 years longer than that for men. In 2000, the difference was 5.3 years, with women's life expectancy at 71.6 years. The projected life expectancy at birth for 2004 is 72.8 percent for women and 67.5 percent for men (NSO as cited in NSCB website).

441. The country has significantly reduced mortality for both sexes from 1946 to the present. A sharp decline in the crude death rate per 1000 population was noted from 15.1 recorded in 1946 to 7.3 in 1959 and 4.7 in 1994. From 1995 to 1999, it oscillated between 3.7 and 5.0 (NSO 2002). The leading causes of mortality were diseases of the heart, diseases of the vascular system, pneumonia, malignant neoplasm accidents and all forms of tuberculosis (DOH 1999). The 2000 crude death rate for women is 3.9 percent while for men, it is 5.6 percent.

442. From 1995 to 1997, the Philippine total fertility rate was estimated at 3.7 children per woman (NSO 1998). While still high compared to other Southeast Asian countries (3.2 for Malaysia, 2.3 for Indonesia, 2.0 for Thailand, and 1.7 for Singapore), it is lower than the 4.1 reported for 1990 to 1993. The projected total fertility rate for 2003 is 3.15 percent. It is projected to fall to 3.08 in 2004. In fact, in 1999, the total fertility rate was placed at 3.4 children per woman (3.0 in urban areas and 4.7 in rural areas). For 2005, it is expected to further decline to three percent.

443. In the late 1990s, 92 percent of mothers received pre-natal care from doctors, nurses or midwives or *hilot* (traditional birth attendant; NSO 1998). *Hilot* attended 41 percent of women at childbirth, while doctors, 31 percent, and nurses and midwives, 26 percent. About two-thirds of child deliveries took place at home. Medical assistance at delivery was more common among women with lower order births, who live in urban areas, who have higher education, and who have made four or more prenatal visits. In Metro Manila, professional health workers attended 92 percent of deliveries while in Autonomous Region for Muslim Mindanao the proportion was only 16 percent (DOH 1999).

444. The infant mortality rate per 1000 live births in the Philippines is very high: 45.3 in 1985, 36.8 in 1990 and 35.3 in 1995 (NSO 1998). It reportedly fell to 29 per 1000 live births since 2001 up to 2003 (NSO), still higher than in neighboring countries, particularly Singapore (7) and Malaysia (8). Incidence of infant deaths varies with socio-economic and demographic factors. Between 1985 and 1995, it was 30.9 in urban areas and 40.9 in rural areas. It was notably high among infants of mothers with no education, no antenatal and delivery care, and younger than 20 and older than 40 years. Infant mortality rate was also high among male infants (39.4 per 1000 male live births versus 32.3 among female infants; NSCB 2003). Respiratory conditions of the fetus and newborn and pneumonia were the two most common causes of infant deaths.

445. While remaining relatively high, maternal mortality has also been decreasing, from 209 deaths per 100,000 live births in 1990-1992 to 172 in 1995-1997 (NSO 1998), to 96.1 deaths per 100,000 live births in 2000 (NSO 2000). Maternal deaths made up less than one percent of the total deaths in the country, but they contribute 14 percent of all deaths in women aged 15-49 (NSO 1998). Maternal deaths were primarily due to complications related to pregnancy occurring in the course of labor, delivery and puerperium (40 percent), hypertension and complications (23 percent), postpartum hemorrhage (19 percent), pregnancy with abortive outcome (13 percent) and hemorrhages related to pregnancy (8 percent; NSO 1997). Failure to obtain pre-natal care and limited access to professional health care during pregnancy and childbirth also contributed to maternal deaths. For most births (77 percent), mothers made three or more prenatal visits, and for almost half of the births, the first pre-natal visit was made in the first 3 months of gestation. A high proportion (86 percent) had gone to professional health workers for pre-natal check-ups, but only 56 percent were assisted by these health workers during childbirth.

446. Promoting contraceptive practice among women remains a challenge. Location, religious beliefs, educational level and age tend to influence contraceptive use. In general, higher prevalence rates were noted among urban women, those with more than an elementary education, and among women 25 to 39 years old. In 1996, fewer than half (48.1 percent) of currently married women used at least one contraceptive method. Slightly more women used contraceptives in 2001 (49.8 percent) and 2002 (48.8 percent; NSO 2003e). Despite prohibition of the Catholic Church, the prevalence rate for any modern contraceptive method rose from 30.2 percent in 1996 to 35.1 percent in 2002. The significant increase in the use of pills outweighed the loss in popularity of traditional methods, which fell from 18 percent to 14 percent. In 2002, the most popular contraceptives were the pill (15 percent), calendar or rhythm and female sterilization (11 percent each; NSO 2003f). Condoms were used by less than 1 percent of couples (NSO 2003e). Surveys showed that men object to their spouses' practice of family planning, and very few of them use condoms, or take the responsibility of contraception.

They also tend to prefer more children, unlike the vast majority of married women (81 percent) who wanted either to space their next birth or to limit childbearing altogether (NSO 1998).

447. The menace posed by HIV/AIDS infection has reached a significant level although it is not as serious as in other countries. From 1984, when the first AIDS case was reported in the country until 2002, some 1,789 HIV cases had been reported to the AIDS Registry (NSO 2002). Of this, 1,078 (66 percent) were HIV positive and 545 (or 34 percent) had developed AIDS; 234 (43 percent) of the AIDS victims are now dead. Hardest hit by the virus are men (61 percent of the HIV cases) and the economically productive age group. Among males, prevalence is highest in the 30-39 age groups; among females, the 19-29 age groups, many of whom are "women in prostitution".[2] HIV/AIDs are now being detected among wives of seafarers and overseas Filipino domestic workers.

448. In 84 percent of the HIV cases, transmission was through sexual contact: 74 percent, heterosexual; 20 percent, homosexual; and 6 percent, bisexual. The less frequent modes of transmission were needle prick injuries, blood or blood products, and injecting drug use (2 percent); no exposure was reported for the remaining 14 percent. The yearly number of HIV infections picked up in 1993, rising to 100 from 69 in 1992, and peaked in 1998, with 190 cases. With AIDS, the annual number of cases jumped to 56 in 1994, and since then, averaged about 50 new cases a year (NSO 2002). By June 2003, there were 12 HIV cases, four of which are women.

449. Sexually transmitted infections (STIs) are considered public health threats because of their devastating complications on women and neonates. The 1994 STD Prevalence Survey done among women in prostitution revealed the prevalence of gonorrhea at 16 percent, chlamydia at 20 percent, trichomonas at 18.6 percent and syphilis at 4.6 percent. It also showed that among the antenatal women who represent the population, prevalence of STDs is much lower with gonorrhea at 1 percent, chlamydia at 6 percent, trichomonas at 1 percent and syphilis at 0.5 percent (DOH).

## B. ACTIONS TAKEN

Policy developments

450. The Philippine government sought to provide the appropriate legislative mandate and framework for health programs and the development of the health sector.

a. RA 7875, or the National Health Insurance Act of 1995, has specifically identified women as one of the vulnerable and disadvantaged groups that should be covered and provided medical benefits. The household is the basis of enrolling indigent members, but efforts are now underway to address more women concerns and to give women equal access to medical benefits being offered. The Implementing Rules and Regulations of the law are now being revised to possibly include coverage of injuries caused by violence against women and accreditation of midwives thereby making

[2] "Women in prostitution" and not "female sex workers" is used since the latter term legitimizes the practice of prostitution. The use of women in prostitution also recognizes poverty as the primary factor that pushes women into prostitution.

home deliveries qualified for claims. The law provides two enrollment programs for the self-employed. One, the individually paying program, is open to all active or inactive SSS self-employed and voluntary members, persons who are covered by an established employer-employee relationship, members of the informal sector and individuals who are disqualified as a legal dependent or from other program components of the National Health Insurance Program (NHIP). Premium contributions amount to PhP1200 a year. This can be paid annually, or in two or four equal installments. The other program is for indigents. A partnership program between the Philippine Health Insurance Corporation and local governments that subsidizes NHIP coverage of the poorest of the poor. Aside from the regular Medicare benefits, the indigent can also avail the outpatient benefit and diagnostic package from the accredited rural health units or health centers. By 2003, an expanded Health Insurance Act was passed into law. This includes prenatal and maternity packages for normal deliveries.

b. Under the Social Reform Agenda of the Ramos administration, which the Arroyo administration has adopted under its KALAHI Program, the health department issued the Implementing Rules and Regulations of the Barangay Health Workers Incentive Act (RA 7883). As cited in the Philippine fourth report to the Women's Convention, this law specifically benefits village health workers who are mostly women. However, there is no available data on the number of women beneficiaries as of reporting period.

c. RA 8503, or the Health Research and Development Act of 1998, promotes health research and development and created the National Institute for Health, which would coordinate existing research institutes in the University of the Philippines-Manila and other institutes and health research programs that may be subsequently created. It aims to promote science and technology research and development (R&D) in the field of health as well as ensure that the results of the health R&D activities are used to improve the health of women and men.

d. RA 8504, or the Philippine AIDS Prevention and Control Act of 1998, promotes public awareness about HIV/AIDS. It requires HIV/AIDS education in schools, in the workplace, for Filipinos going abroad, for communities, and for tourists and transients. The law commits the state to address and seek to eradicate conditions that aggravate the spread of the disease, including but not limited to poverty, gender inequality, prostitution, drug abuse and ignorance. This law is expected to help women and men, especially those who are prostituted, to be aware of the dangers of HIV/AIDS and help them take measures to protect themselves from contracting the disease.

e. RA 8172, an Act for Salt Iodization Nationwide, was approved in December 1995 to eliminate iodine deficiency disorders (IDD) among the populace and avoid its consequences, which include brain damage, mental defects and mental retardation; congenital physical defects; miscarriage and stillbirths; and goiter. The law benefits women and children who are more prone to IDD. To date, 10 percent of Filipino

households are reportedly using iodized salt, but the impact of iodized salt intake on women and girl children cannot be ascertained.

f. RA 8980, or the Early Childhood Care and Development (ECCD) Act of 2000, institutionalizes a comprehensive policy and national system for early childhood care and development that provide for the basic holistic needs of young children from birth to age six. With the enactment and implementation of this law, raising a child is no longer the sole responsibility of mothers. The community, the national and local government and other institutions are now to assist in providing the basic needs of children.

g. Two bills in Congress (HB 4110 and SB 2325 or the Reproductive Health Care Act of 2002) seek to establish an Integrated National Policy and Program on Reproductive Health that recognizes women's reproductive rights, gender equality and ensures universal access to reproductive health, services, information and education. The bills also seek to push for the expansion of the coverage of the National Health Insurance Program to a wider population especially the poor and to a full range of sexual and reproductive health services and products.

451. Investments in health affect the well being of the population, especially women, as they are primarily responsible for their family's health. An adequate health infrastructure requires personnel, equipment, medicines and supplies, and education of the public on utilization of health services. Public health and sanitation also requires investments in garbage disposal, sewerage disposal and safe water supply system for every household. Aware of the implication of a healthy population to the overall economic and social well being of the country, the government has been pursuing an integrated health policy and program for various population subgroups, such as women, infants and children, elderly, school children, the poor and rural sector, and health workers. Among the key policy initiatives are:

a. The health department's Ten-Year Investment Plan (1996-2005) embodies the overall goals and strategies for the health sector and seeks to assure the sustainability of national health programs, support the process of devolution, rationalize sector spending and enhance institutional capabilities in management and planning. About 30 percent of the investment package for this plan was set aside for the improvement of women's health, some of the projects for which are still being implemented. Presently, the Health Sector Reform Agenda, which updates and improves on the Plan, is the basis for investments in health sector. The Agenda aims to improve the effective coverage of national and local public health programs, increase access to health services especially by the poor, and reduce financial burden on individual families.

b. The Medium-Term Philippine Plan of Action for Nutrition, 1999-2004, aims to increase the proportion of children with normal weight, and reduce the prevalence of protein-energy malnutrition among children, chronic energy deficiency among adults, and micronutrient deficiencies and the prevalence of overweight among children and adults.

c. The reorganization of the health department in 2000 unified the management of foreign-funded health programs and projects under the Bureau of International Health

Cooperation. Among these were a five-year project involving local government units in comprehensive women's health and safe motherhood programs, and the development of family health packages addressing specific health needs of local communities.

452. In the Philippine fourth report, the UN CEDAW raised concern over the decentralization of health services that has resulted to inconsistent application of contraceptive policies, and suggested that appropriate legislation be enacted to ensure that family planning services are made available and accessible to women in all areas. In response, the Philippine government has adopted a policy that took into consideration population and reproductive health approaches that respect Filipino culture and values as well as equality between women and men. In this regard, the health department, through Administrative Order 50-A s. 2001, refocused its family planning program from a demographically driven program to one that promotes family planning as a health intervention to promote health especially among women and children. Meanwhile, no progress has been noted on the amendment of the Local Government Code about the permanent appointments of population officers.

453. The government adopted a gender-responsive population program framework with a reproductive health perspective to improve population planning and policy development. The Philippine Population Management Plan of the Commission on Population included gender equality and women empowerment among the major components. There are efforts to review the current program framework and revise it to incorporate relevant aspects of women's health, gender issues and other concerns in both conceptual and operational terms. Efforts include the constitution of a Task Force on family planning/ reproductive health, the crafting of reproductive health indicators, and the establishment of Women's Desks in police stations by the Philippine National Police to address cases of violence against women.

454. Through Administrative Order No.1-A issued in January 1998, the health department defined a reproductive health framework that incorporated ten elements of the Reproductive Health Package, namely: (1) family planning; (2) maternal and child health framework and nutrition; (3) prevention and management of abortion complications; (4) prevention and treatment of reproductive tract infections (RTI), STD and HIV/AIDS; (5) breast and reproductive tract cancers and other gynecological conditions; (6) adolescent reproductive health; (7) education and counseling on sexuality and sexual health; (8) men's reproductive health; (9) violence against women; and (10) prevention and treatment of infertility and sexual disorders.

**Programs to address women's health concerns**

455. The health department has several major programs that offer services and other packages of benefits that are universal in coverage and given free of charge at all government health facilities. These are:

a. *Women's health and development program.* It seeks to develop a sound technical basis for policy and action on gender and women's health issues; promote integration of gender perspective into health policies, services and programs; develop a database and test preventive interventions on emerging gender issues; increase women's participation in the design, implementation and evaluation of health programs and

policies; and advocate for and disseminate information on the health situation of women with a gender and development perspective.

b. *Reproductive health program.* It offers a range of contraceptive methods (modern methods of natural family planning, pills, condom, injections, sterilization) using a reproductive health care approach. It also promotes better nutrition of infants and urges mother-and baby-friendly hospitals to convince mothers to breastfeed their babies from birth to 2 years old.

c. *Safe motherhood program.* It developed and currently implements a comprehensive safe motherhood package that includes quality prenatal, natal and post-natal services, micronutrient supplementation and tetanus toxoid immunization. Post-natal services include gender sensitive counseling on fertility awareness, responsible parenthood, contraceptive use that includes natural family planning method, nutrition, breastfeeding, personal hygiene and child care.

d. *Breast and cervical cancer prevention campaign.* With support from two women's health programs ([a] and [c], above), the National Cancer Control and Prevention Program launched an aggressive information and advocacy campaign on breast and cervical cancer prevention. It also provided training and logistics support to government hospitals to enable them to deliver quality services to women of reproductive age. It urges women over 30 years old to do regular breast self-examination and for women over 34 years old to have Pap smear examination every year.

e. *National AIDS/STD prevention and control program.* It has implemented the following activities: continuous assessment of the status of AIDS/STD infection in the country to guide the design of appropriate interventions; information campaign for individuals at risk and for the general population; and strengthening of clinical management. The program was adopted to prevent the spread of AIDS/STD, especially among those working in high-risk entertainment industries, and cushion the psychological impact of the disease on patients, their families and communities.

f. *National program on the health for older persons.* It addresses the health needs of older women and men. In coordination with the social welfare department, the program set up a total of 130 daycare centers for older persons in selected areas of the country.

456. Other programs of the health department and other government agencies that address women's and girl's health and nutrition needs include the following:

a. Social welfare programs integrating a component on personal and childcare skills development that deal with care of self of females during puberty, menstruation, pregnancy, and childbirth, breastfeeding, weaning, detection of breast cancer and common disorders of women; and

b. Primary health and nutrition programs that provide continuous information and guidance to women in their pursuit of a healthy life for themselves and their families.

These cover provision of vitamin A, iodine and iron to pregnant women and lactating mothers; promotion of the addition of micro-nutrients to processed food; nutrition education to address malnutrition among preschool children, pregnant women and lactating mothers; and promotion of animal dispersal and of vegetable gardens in homes, communities and schools.

457. The health department and six local governments have set up 44 Women and Children Protection Units in regional, district and provincial hospitals in the country. Collaborating Centers for Anti-Violence Against Women and Children have been set up in Luzon, Visayas and Mindanao to provide one-stop services for survivors of violence.

458. A module on "Integrating Domestic/Family Violence Issues in the Nursing Curriculum" was developed and endorsed by the Commission on Higher Education. The curriculum is currently being piloted at the Silliman University College of Nursing. A similar module is being developed for the medical curriculum in coordination with the Association of Philippine Medical Colleges. This initiative will enable future doctors and nurses to respond with relevance to victims and survivors of violence.

459. Local-level measures to improve the well being of women who worked as entertainers in former military bases are notable. At Olongapo City, the health and social welfare offices provide regular monitoring of the physical condition, medical assistance, skills training, and scholarship for children of HIV/AIDS victims. Their parent effectiveness services facilitate the integration with the community of former entertainers and their families. NGOs like Buklod and WEDPRO are also working with women in prostitution in Angeles and Olongapo.

**Health programs for children, including girl children**

460. A country program for children implemented by the government and UNICEF provides, among others, nutrition education, micronutrient supplementation, family food production and food security, early childhood care and development and nutrition advocacy among decision-makers. It targets all children 0-59 months, male and female, in selected provinces and municipalities in 12 regions.

461. Three health-related issues affecting girl-children were identified in 1995 and continue until the present: vulnerability of the girl-child to iron deficiency anemia, goiter, and infection due to malnutrition owing to traditional practices favoring other members of the family; adolescent pregnancy and motherhood; and vulnerability of girl children to HIV/AIDS and other STD due to premature and unprotected sexual relations and being victims of sexual abuse and exploitation. As of January 2002, the health department AIDS Registry recorded 40 girl children and 23 boy children who are HIV-positive.

462. The health department developed policies and guidelines on micronutrient supplementation and provided technical and logistics assistance to all local governments. In 1998, it supplied iron drops to children with low body weight, which included 57 percent of the female children and 56 percent of the male children; and Vitamin A to pre-school children ages 12-59 months, which covered 71 percent of female children and 70 percent of male children. Inadequate funds hindered the department from providing iodized oil to girl children with goiter. The department

developed a comprehensive Food Fortification Plan, in consultation with the food industries. To be fortified with Vitamin A, Iron and Iodine were: wheat flour, cooking oil, salt, processed foods carrying the "Sangkap Pinoy" seal (hotdogs, fruit juice, noodles, chips, margarine, sardines), and baby foods. The Bureau of Food and Drugs monitors the compliance of the food manufacturers.

463. Efforts were also made to enforce the Milk Code through the training of health workers on breastfeeding counseling, skills training in Milk Code monitoring, and promotion of breastfeeding in hospitals through the mother-and-baby-friendly hospital initiative.

464. The Expanded Program on Immunization has issued policies and guidelines on immunization of all children 0-11 months old against seven diseases. By supplying vaccines supply to local government units and training health workers, the program reached 74 percent of female and male target groups in 1998. The Knock-out Polio Campaign, aimed to immunize all children aged 0-59 months to eradicate polio by 2000, reached 97 percent of its target in 1996 and 1997. In 2000, the World Health Organization declared the country polio-free. To be launched in February 2004, the Philippine Measles Elimination Campaign aims to immunize all children 9 months to 15 years old and eliminate measles by reaching 98.4 percent of its target group in schools by 2008. Program strategies include regular health center-based immunization and door-to-door immunization campaign.

465. The World Bank and the Asian Development Bank support an inter-agency project of the social welfare and development department entitled "Early Childhood Development Project (ECDP)." Launched in 1999, ECDP is a six-year project that seeks to promote child and family focused services to enhance the quality and coverage of essential health, nutrition, psychosocial development and early education services for 0-6 year old children. It is being implemented in three regions, supplementing and enhancing the resources of local government units involved in the project. The project provides, among others, equipment for the expanded program on immunization, training on integrated management of childhood illness, provision of micronutrients (Vitamin A and Iron), and food fortification.

**Programs on HIV/AIDS and STD**

466. As noted in paragraph 444d, above, RA 8504 provides the legal mandate for the government's HIV/ AIDS campaign. It also protects the rights of girls (and boys) infected, suspected or to be infected with HIV/AIDS. The Implementing Rules and Regulations are being prepared by the Philippine National AIDS Council for full implementation, but the "Information and Guidelines for Management of STDs in Children" has already been disseminated for implementation at all levels of the health care delivery system to ensure that girl-victims of sexual abuse get appropriate care for reproductive tract infections. The health department maintains an AIDS hotline and provides support services to patients with HIV/AIDS and technical assistance to local government units.

467. The social welfare department has been addressing HIV/AIDS in its Integrated Program for Families/Children at Risk of Drug Abuse and HIV/AIDS. The program trains youth and adults to become peer counselors and trainers on the effects of substance abuse and HIV infection, and provides family care and support services to infected family members. Meanwhile, the health

department, under its Adolescent and Youth Health Development Program (AYHDP), has organized a consultation workshop to develop the policy, guidelines, and framework to address adolescent reproductive health issues, particularly the prevention of teenage pregnancy and abortion, STDs and HIV/AIDS infection. An information, education and communication plan was drafted in the first quarter of 1999, while a training module was developed and core trainers were trained in late 2002. However, public hospitals have yet to set up clinics for adolescents. While the AYHDP is still in the developmental stage, many NGOs have been providing counseling and other services for adolescents. Foremost among these NGOs are the Foundation for Adolescent Development, Remedios AIDS Foundation, Institute for Maternal and Child Health, Kaugmaon, and Baguio Centers for Young Adults. Several NGOs have also trained and supported children and youth advocates in their HIV/ AIDS peer education programs in schools and communities (Illo 2003).

468. The National AIDS/STD Program coordinated with the education department and agencies on the integration of HIV/AIDS education in school curricula for intermediate grade, high school, technical/ vocational and college levels. In this connection, teaching modules were developed, and teachers were oriented on the modules.

**Advocacy and research on women's health**

469. Ribbon advocacy campaigns that involve health workers, professionals, students, and other women and men were conducted to raise the consciousness of the general public on women's rights, breast self-examination and other women's health issues. Each month represents a woman's health concern and a corresponding colored ribbon that advocates wear. The media has been used extensively to promote health-related programs and campaigns initiated by the government.

470. From 1996 to 1998, the NCRFW and the United Nations Population Fund (UNFPA) implemented the "Policy Development and Advocacy for Women's Health, Population and Development." Major project outputs consist of papers formulating or popularizing legislation and programs such as: Economic Costs of Violence Against Women; the National Health Insurance Law and the Civil Service Code: A Review of Specific Provisions Applicable to Women; Towards a Gender-Sensitive CBFM Program; and Towards a Gender-Sensitive Workplace: Integrating Women's Concerns in the OSHS. In addition, four policy briefs and six policy papers on priority women's health and population issues were prepared, including hospital case records on VAW and gender-sensitive technological impact assessment system. The project also supported public awareness campaigns, such as the Beijing Watch Bulletin, media dialogues, press releases, information leaflets, and video documentation.

471. Research has flourished focusing on various health concerns. Some of these studies are as follows:

a. Two studies of the Occupational Safety and Health Center dealt with the effects of occupational health issues on women's reproductive health. A study of women in semiconductor companies showed that exposure to lead, mercury, anesthetic gases, carbon monoxide, ionizing radiation have adverse effects on women and their offsprings. Another study on negative reproductive outcomes in occupational health settings

revealed that hazardous occupational health settings have negative effects on menstrual, ovulatory and hormonal patterns, with consequences for fertility of couples and fecundity of women; pregnancy outcomes, such as increased risk of fetal loss, pre-maturity, low birth weight, congenital defects and disease in the offspring; and infection-related infertility and infant mortality aggravated by exposure to chemical and physical pollutants. Other studies are discussed in Article 11.

b. In 1995, the University of the Philippines Center for Women's Studies (UCWS) undertook a three-year women's health research consortium, in partnership with two other academic research centers and six women NGOs. Funded by the UNFPA, the project provided information and methodology to understand and address women's concerns. The research focused on women's perception of reproductive rights, user's perspectives on fertility regulating technologies (FRT), and link between violence against women and women's health problems. Findings revealed that despite the unwillingness of women to exercise their rights in the reproductive process, a conception of reproductive rights dominates women's thinking about their sexuality and roles in society. The studies also noted that awareness of FRT is high but a free and informed choice is not a reality for women due to inadequate information, lack of services and gender domination. Women had limited power to refuse sexual relations, as they were aware that violence was a likely result of such negotiations (UCWS 2001). The studies concluded that active participation of men in fertility regulation should be promoted and biomedical research expanded into men-friendly FRT.

c. The Ford Foundation sponsored several research and publications on women's reproductive health and rights coordinated by the UCWS. One study examined the construction of gender and reproductive roles across two generations in a rural community. It stressed the need to formulate sexuality and contraceptive education programs in the context of gender identities and roles, with masculine and feminine roles redefined so that marital and family relations will be characterized not only by sanctity, harmony and respect, but also by equity and equality between women and men across generations. Three studies explored gender relations and reproductive health topics in the Visayas: one on marital separation, another on traditional fertility control practices of indigenous peoples of Panay Island, and a third on date rape and sexual aggression in dating situations.

**Some NGO efforts on women's and girls' health**

472. Since 1994, Childhope Asia Philippines has conducted, as part of its street education project for street children, health education sessions on primary health care, HIV/AIDS, STD, common illnesses, and adolescent sexuality and reproductive health. Between 1994 and 1998, the health education sessions reached 3,907 children, while its primary health services benefited 5,808 children. From the last quarter of 1998 to 1999, Childhope began to disaggregate data by sex. It counted 485 street girls who benefited from medical and health services, and 198 street girls who attended sessions on personal hygiene, STD and HIV prevention, and sex education.

473. In 1995-1996, Lunduyan (formerly Children's Laboratory Foundation) waged an education-advocacy campaign in six barangays in Quezon City. It sponsored six poster and slogan

contests on HIV/AIDS and STD messages, and trained 20 peer educators and 34 barangay youth leaders. Ten peer educators organized 35 sessions, reaching 772 children and youth, almost half of who stayed with the project an average of four months; while the youth leaders and officials ran leadership and facilitation training, evaluation and planning, and activities to raise community consciousness on STD and HIV/ AIDS. The project was able to build a network of support and, in cooperation with six barangays, set up children's desk in each barangay. Project materials are now used by the children and youth network of the National Project for Street Children and other NGOs. In 1998 and 1999, Lunduyan worked with the Social Action Council of Pampanga (SACOP), Franciscan Missionaries, and Bahay Tuluyan to integrate HIV/AIDS prevention and child rights promotion and protection into existing efforts of these organizations on issues such as land acquisition, resettlement, and poverty amelioration.

474. Another NGO, Co-op INSIGHT conducted eight training sessions for health department officers on how to mainstream gender in their projects and activities. Three sessions were held at the central office and five in regional offices. Echo trainings were also conducted for local government units.

475. The Girl Scouts of the Philippines organized sessions on nutrition (weighing, feeding and growth monitoring), personal hygiene, health and family planning; offered free dental and medical services, de-worming and immunization; and participated in seminars on oral rehydration therapy conducted by the health department. Girl scouts also worked on seed dispersal, planted herbs, and assisted communities in the construction of water-sealed toilets or compost pit, comfort rooms, and safe water systems.

## C. REMAINING ISSUES AND CHALLENGES

476. The government has made efforts to meet the comprehensive health needs of women. However, the needs of older women have to be addressed, as women are expected to live longer and longer. Other age groups, such as adolescents and menopausal women, are not given adequate attention. There is a need to intensify implementation of current programs and services in a holistic manner for them to adequately respond to the needs of women across the life cycle. More resources have to be provided so that health programs could expand their area coverage. There is also a need to document the specific effects of government programs and services on the health and well being of women.

477. Local government units play a crucial role in ensuring women's health programs and services reach the communities. Issues arising from the devolution of health service delivery must be promptly addressed, and the financial and technical capability of local governments to implement programs taken into account when devolving service delivery. In addition, training and capacity building in all aspects of local governance must include gender sensitization. Several projects of the UNFPA and the European Union have started to address these needs of local government units and must be monitored for compliance with targets. Health statistics must be routinely disaggregated by sex and other attributes, most especially at the local level.

478. The treatment of VAW remains to be purely medical in nature although efforts are now underway to educate medical professionals and service centers in the proper handling of VAW cases (see paragraph 211).

479. The revision of the Implementing Rules and Regulations of the National Health Insurance Act must also be closely monitored to ensure that women-friendly provisions are considered and integrated into the program. The Plan 500, which contains the expansion of the national health insurance program, is also silent on women. There is a need to review said plan and how gender can be integrated in its major components.

480. Although gender and health training for officers of the health department have been conducted in regions and at the central office, implementation of participants' action plans to mainstream gender in their projects and activities remain to be seen. For instance, they should intensify their efforts of enlisting the participation and support of men for responsible parenthood, which includes family planning and child rearing to ensure the well being and health of their children and spouses.

481. Controversies erupted during the drafting of the Reproductive Health Care Bill in 2002. The explanatory note of the bill, which cites the need to remove legal barriers to abortion, has provoked heated debates. The health department stressed that the government does not promote abortion as a family planning method. The prevention and management of abortion complications is the concern. The department welcomes the bill because it would enable it to provide more goods and services, particularly to the poor, beyond its family planning programs. However, it does not agree with the inclusion of the emergency contraceptives. Before, it supported their use because WHO proved they were harmless to the fetus. It has since adopted the anti-artificial contraception position of the current administration and after it had invited foreign researchers who studied the emergency contraceptives and claimed these act as abortifacients. Some local governments, like the City of Manila, are already banning the dissemination of information about and sale of emergency contraception as well as artificial contraception.

482. A current concern about women's health revolves around the women's comprehensive health needs across the life span. Women's health and nutritional needs must be seen in the context of their various roles. Apart from reproductive health, attention should be paid to mental health, occupational health and safety, and the impact of the environment on women's health. Access to health services for comprehensive women's health, including reproductive health, need to be made widely available if women are to be empowered to lead productive and healthy lives. Women and men must be given adequate education and information so that they can make informed reproductive health choices.

## Article 13
## Social and Economic Benefits

**Equal access in other economic and social life particularly family benefits, financial credit and recreation, sports and cultural opportunities**

### A. WOMEN'S SITUATION

483. The Constitution advocates as state policy the promotion of a just and dynamic social order and social justice in all phases of national development (Article II, Sections 9 and 10). It aspires to free the people from poverty by providing adequate social services and promoting full employment, a rising standard of living and an improved quality of life for all. It also enunciates equal rights for all. Contrary to these aspirations, poor economic condition and certain cultural norms have created inequalities between men and women, rich and poor, and urban and rural women. Women bear most of the burden of poverty owing to their roles as caretaker of the family's health and welfare.

484. Alleviating poverty has been the concern of the previous and present administration. As a result, various policies were issued and programs pursued to improve the conditions of the poor. A number of these specifically target women as primary beneficiaries.

### *B. POLICY AND PROGRAM DEVELOPMENTS*

Family benefits

485. In recognition of the far-reaching effects of poverty in Philippine society, presidents have made poverty alleviation a major goal of their administration.

a. The Ramos presidency (1992-1998) institutionalized people's participation and unified poverty programs and projects into the Social Reform Agenda (SRA). Guided by the minimum basic needs approach (MBN) and comprehensive and integrated delivery of social services (CIDSS) framework, the SRA included a package of government interventions aimed at integrating society's disadvantaged groups into Philippine political and economic mainstream.

b. The Estrada presidency (1998-2000) made social services available to families and communities through its CIDSS Flagship Program. Aside from providing social services, the program built capability of communities and local government units in community planning, project preparation and management and resources mobilization, and gained international recognition for its capacity to expand rapidly and effectively. Its technology approach was also adopted in other social welfare department flagship programs. The social welfare department provided the guidelines for the implementation of the CIDSS project, which sought to address the minimum basic needs of the disadvantaged families and communities in all the fifth and sixth class municipalities and in urban poor barangays to enable them to access social services. CIDSS uses the four-pronged approach of

community organizing, total family development, convergence and focused-targeting to help develop the capabilities of families to undertake productive activities. From 1994 to 1998, the department claimed that the top 10 unmet MBN was reduced by 68 percent, on the average. As of December 2000, the program was implemented in 3,250 barangays of 1,084 municipalities and in 100 urban poor communities, benefiting 233,128 families.

c. In 2001, the Arroyo presidency launched the National Anti-Poverty Commission (NAPC) *Kapit-Bisig Laban sa Kahirapan* (KALAHI) as a platform for an accelerated, focused and systematic anti-poverty strategy. The program was designed after consultations with the poor sectors. For 2002, the KALAHI program financed projects that would address the unmet minimum basic needs of the poor in 367 barangays in the lowest-income (fifth and sixth class) municipalities across the country. The projects were principally infrastructure, electrification projects, shelter assistance, livelihood, and other basic service programs of various agencies. In January 2003, the KALAHI was joined by the CIDSS approach. KALAHI-CIDSS is "a community-driven development project where decision-making resides in the community . . . Implementation and management of community projects also reside in the community and is based on values of good governance and sustainability" (DSWD 2004).

d. Since January 2003, KALAHI-CIDSS has reportedly reached a total of 1,503 poor barangays in 67 municipalities, or 35 percent of target barangays and 38 percent of target municipalities in only 17 percent of the project's total life. It also claims to have involved more than the targeted 80 percent of the total barangay population, even reaching 98 percent in some areas. Community volunteers who had been chosen by the barangays designed the barangay action plan, which was subsequently presented to the barangay assembly for validation. To date, KALAHI-CIDSS has funded community development projects of 114 of the 201 barangays in Phase I; the local community counterpart reportedly accounted for 37 percent of the total project cost. As of 15 November 2003, the KALAHI-CIDSS funds had been allocated for water projects (47 percent), road projects (24 percent), school classrooms (7 percent), multipurpose buildings (5 percent), day care centers (4 percent), health centers (3 percent), and others.

486. Meanwhile, the Philippine Congress has enacted laws and deliberated bills that would provide respite or assistance to women in their various family management roles.

a. As noted in Article 11, RA 8972, or the Solo Parents' Welfare Act of 2000, provides for a comprehensive program of social development and welfare services for solo parents and their children. Involved in the enforcement of the law are the social welfare, health, education, labor, and interior and local government departments, as well as the Commission on Higher Education, Technical Education and Skills Development Authority, and the National Housing Authority. Implementing Rules and Regulations were adopted in April 2002.

b. As also noted in paragraph 158, the Early Childhood Care and Development (ECCD) Act of 2000 provides a legal framework for a comprehensive, integrated and sustainable national program that would assist women and men in the care and development of their young children.

c. The Expanded Senior Citizens Act of 2003 (Republic Act 9257) grants additional benefits and privileges to senior citizens amending Republic Act 7432. The additional benefits and privileges include discounts from establishments, income tax exemption, medical and dental privileges in government facilities and in private facilities, among others.

d. Pending in the House of Representatives is House Bill No. 1010 which provides for the establishment and maintenance of lactation stations (breastfeeding) in public places.

487. The social welfare department has been expanding its day care center program. In Department Order No. 11, series of 2000, it set the minimum standards and guidelines to ensure quality in the delivery of day care service through the accreditation of day care workers and centers. It has also begun testing strategies for integrating autistic children into the regular day care services program. The Integrated Care Center Services for Senior Citizens and Children enables the children attending the regular day care session to have older persons as resource persons to talk about values. A related program for the elderly that is being pilot tested in three regions, the "Neighborhood Support Services for Older Persons" recognizes the forces affecting the capacity of the family to support their older members and builds the capabilities of potential caregivers within the family and the community. This develops options of burden sharing. In a slightly different vein, its interagency project, the *Sagip Kalinga*, addresses the problem of the increasing mendicancy in metropolitan areas, by taking away vagrants, mendicants, children and adults who frequent and have taken shelter on the street from the hazards of the street life and provide them with appropriate social care.

488. The "Loren for Military Dependents" is a program that seeks to assist wives and daughters of military officers and enlisted men. Launched in July 2002 and implemented in coordination with the Armed Forces of the Philippines and TESDA, the program provides the beneficiaries training at TESDA to enable them to undertake income livelihood projects. The program is being implemented in three units of the Armed Forces from the National Capital Region, two in Luzon and one each in Visayas and Mindanao. So far, the program has benefited at least 250 women and graduated 150 in entrepreneurship courses at the TESDA Women's Center.

***Financial credit and technical assistance***

489. Also noted in Article 11, RA 7882 set up the Development Bank of the Philippines and the Land Bank of the Philippines as conduit banks for the loan program. Loans were granted for businesses in agriculture and farm production, agro-processing, general trading, housing and construction, land and sea transport, manufacturing and services. From 1998 to 2001, an increasing number of women availed themselves of loans (see Annex Table B13.1). However, government institutions involved in the project expressed some reservations about the law's long-term benefits. For one, the women would need large loans that command higher market interest rates to expand their business. Unless they are willing to pay the higher rate, they would find it hard to get the required capital to graduate into larger-scale business beyond the micro or cottage level. To most government financial institutions, 12 percent interest is too low to be cost effective.

490. During the State of the Nation Address in 2001, President Gloria Macapagal-Arroyo identified micro-finance as a cornerstone of her administration's fight against poverty. She directed the Peoples' Credit Finance Corporation (PCFC) to provide credit to 1 million borrowers by June 2004. As of June 2001, PCFC had served some 349,036 borrowers. Between June 2001 and December 2003, PCFC reported that it has already served 864,965 beneficiaries. Of these, approximately 98 percent are women.

491. To further help women in business, two women senators filed Senate bills No. 601 and 1248 that seek to provide them with financial, educational and information assistance in order for them to excel in commerce and trade (see paragraph 494 in Article 13 for more detailed discussion).

492. As reported in Article 11, the social welfare department has several programs to aid women living in poverty. The first is the Productivity Skills and Capability Building (PSCB) for Disadvantaged Women. In 2001 alone, it benefited some 31,827 disadvantaged women, who were trained in various trades; 9 of 10 found gainful employment as self-employed workers, subcontracting trainers, and various wage jobs. The first level of the second program, the SEA-Kaunlaran (SEA-K) Integrated Program, served 24,422 families and organized 753 SEA-K associations in 2001. The second level (guided by Department Order 17, series of 1997) involved the organization of SEA-*Kabayans* that could access higher loan assistance for micro-enterprise, house construction or improvement projects. In 2001, some 17 SEA-Kabayans with 890 family members received additional capital assistance. A third program, "Enhancing the Role and Status of Filipino Women in Social Development" makes accessible credit facilities to women and promotes the formation of community-based organizations (754 associations in 2000) that can manage a sustainable credit assistance program for members.

493. Women entrepreneurs who need financial and technical assistance could tap the trade and industry department's "Tulong sa Tao" program, a lending window for micro-enterprises. The credit program was implemented through government financial institutions and accredited NGOs. From 1998 to 2000, it benefited 1,538 women micro-entrepreneurs (about 75 percent of total beneficiaries). The program had released almost PhP51.24 million, of which 68 percent had gone to women. It had also generated 8,198 jobs nationwide, with 6,148 (75 percent) going to women.

494. One of the objectives of the trade and industry department's program was to develop and strengthen the capability of NGOs through training of beneficiaries, trainers' training and consultancy services. Between 1996 and 2001, the department's two training centers, the Philippine Trade Training Center and the Cottage Industry Technology Center, had trained a total of 14,071, of which 52 percent were women (Annex Table B13.2). Women greatly outnumbered the men (3 to 1) in training programs for cottage industries, but not in the larger-scale export oriented training (4 to 5). The department reports that as a result of training, women NGOs showed notable improvement in their business operation as evidenced by improved monitoring of loans, better recording, higher collection rate, clearer direction and more responsive management.

***Sports and recreational activities***

495. As of September 1998, the National Team consisted of 533 athletes, with the 174 women accounting for only a third of the total. Among the coaches and their assistants, men outnumbered the women 167 to 15.

496. The five-year sector plan for Philippine sports that was crafted by the Philippine Sports Commission includes as one of its targets the promotion of gender equity in sports. To achieve this, the plan includes use of female role models, women's sports strategy, gender balance in all publications, and alternative club competition programs for women. The Commission has also offered opportunities for female junior athletes to undergo training programs aimed to develop their potentials, while the various National Sports Associations subsidized the training of female (and male) athletes. Moreover, the Commission gives due recognition to the accomplishments of seasoned female athletes who have given honor to the country in past international tournaments.

497. Still pending in the Senate are Senate bills 764, 1104, 1108 and 1247 that seek to grant women equal opportunity to athletic scholarship and to prizes of sports (see paragraph 292 for details).

## C. REMAINING ISSUES AND CHALLENGES

498. There are various interventions undertaken to provide women greater access to social and economic benefits, but high interest rates and stringent credit policies of lending and financial institutions hamper the growth of women's enterprises.

499. Micro and small enterprises for women actually produce items that are among the prime products such as garments, food, and giftware in the export market. These enterprises need to be provided with comprehensive technical and financial assistance to make them more viable and become more globally competitive. Micro entrepreneurs are complaining of lack of capital, declining demand and competition from cheaper imports. These issues can be addressed through making available breakthrough credit as opposed to micro credit accessible to all kinds of poor women; strengthening cooperativism among women; and providing skills training in financial management and integrate credit schemes with livelihood and enterprise development.

500. An integrated approach on credit and technical assistance for women's agriculture-related enterprises should be pursued vigorously with special attention to ensuring food security as they produce and market globally competitive agricultural products.

501. Women's participation in sports is still limited. At best, only the popular female sports personalities are given attention. Still lacking is a comprehensive and aggressive sports program to seek out and develop women and young athletes among the populace in the rural areas. Only those who already have their own private initiatives and financial capabilities to engage in sports such as those in swimming and tennis, receive the attention of sports agencies. At present, there is a need to improve the disproportionate representation of women in the sports delivery system. Women must be involved not only in sports per se, but more importantly, in the highest levels of sports administration. In sports, gender equity and equality

can be achieved first through consciousness-raising. The awareness level of high sports officials regarding the special needs of women athletes is still quite low.

## Article 14
## Rural Women

**Problems faced by rural women and their roles in their family's economic survival, including their work in the non-monetized sectors of the economy; eliminating discrimination against rural women and equality to participate in development planning; access to health care and family planning, social security, education and extension services; participation in self-help groups and community activities; access to agricultural credit and other facilities and adequate living conditions.**

### A. WOMEN'S SITUATION

502. In 2000, the population of the Philippines numbered 76.5 million. Almost 59 percent lived in urban areas, up from 37.5 percent in 1990 and 48.8 percent in 1995. The largest concentration of urban residents, some 10 million, is found in Metro Manila or the National Capital Region. Except in the Cebu province and Metro Manila, men outnumber women.

503. Discussions related to Article 11 suggest that, regardless of location, only 51.7 percent of female members of the potential labor force were working or seeking work (Annex Table B11.4). However, the nature of women's work in rural areas allows women to weave their farm and other economic work with their home responsibilities, resulting in higher employment rate among rural women than women in the cities. These rural jobs, however, are usually seasonal and do not take the whole day, and working hours vary from day to day. As Annex Table B11.6 shows, women and men in urban centers work longer hours per week, on the average, than their peers in the countryside.

504. Until the mid-1980s, agriculture was absorbing half of the labor force, but its relative size had been shrinking in succeeding decades. By 2000, only 37 percent of employed workers were in agriculture, most of these men: 72 percent of all workers in agriculture, hunting and forestry; and 94 percent in fishing (NSO 2002). Of the 11.5 million rural women of working age, 4.9 million were employed and 0.6 million unemployed. The declining livelihood opportunities, particularly for young women, pushed many of them to migrate not only to Metro Manila and other urban centers but also overseas.

505. In October 2001, about 43 percent of female workers in rural areas were laborers or unskilled workers; 15 percent were farmers, forester workers and fishers; and 6 percent were professionals, usually teachers. About 32 percent were self-employed workers while 28 percent were unpaid family workers. Some 9 percent worked for the government as teachers and clerks (BLES 2003c).

506. The economic activities in rural areas do not bring in as much cash income as urban businesses or jobs. In 2000, median rural family income (PhP59,820) was less than half of the median urban family income of PhP136,338 (NSO 2002). Income poverty incidence has always been

higher in rural areas: 56.0 percent versus 37.9 percent in 1991, 47.0 percent versus 30.1 percent in 1994, and 44.4 percent versus 23.2 percent in 1997. Poverty data were not available for urban and rural areas in 2000, but the less urbanized regions and provinces registered higher income poverty rates (NSO 2003a). The neglect of the agriculture sector and the uneven distribution of resources worsened the poverty situation in rural areas. Only remittances of migrant workers to their families had enabled the latter to survive crippling poverty brought about by stagnant agricultural productivity, stiff competition from cheaper food imports, and periodic droughts and floods that devastated crops and livelihoods.

507. Unequal distribution of income remains an issue. The poorest 30 percent of families get no more than 8 percent while the richest 10 percent capture almost 40 percent of the total (NSO 2002).

508. The country's foreign debt and fiscal deficit restrict government spending, particularly on social services that benefit the poor. For a few years during the period under review, the social service budget increased, but it continued to vary inversely with the size of the debt service (Annex Table B14.1). Cutback in public spending on social services (education, health, family planning, social welfare) adversely affects women more than men, as they dominate the sector work force and as they are expected to supply services that the state has stopped providing.

509. The notion of women as homemaker and supplementary earner continues to shape the recruitment of women by government and NGOs as health and nutrition volunteers or as participants in micro-finance or micro-level income generating projects. Women producers have long been classified as unpaid family workers and rarely as clients of agricultural extension work or of agricultural technology development and transfer. The view that the farmer, fisher or rural producer is male persists, affecting rural women's access to land and other resources. It also excludes large numbers of women farmers from farmers' organizations and cooperatives, which generally consider men for membership. Recent data from the Cooperative Development Authority show that women represent 35 percent of members of farmers' cooperatives and 21 percent of cooperative leaders.

510. Farmers' cooperatives, however, account for a small portion of the cooperatives in the Philippines. Many more are open, community cooperatives that take in women and men who are interested to join and able to contribute their equity in the group. Overall, women members outnumber the men. A 1999 survey of a sample of the 1,200 affiliates of the National Confederation of Cooperatives, the country's largest federation of privately owned, member-based and savings-driven cooperatives, showed women accounting for about 60 percent of the membership, 42 percent of board members, 23 percent of board chairpersons, 51 percent of cooperative managers and 59 percent of employees. While the data indicate that women were a majority of the members, managers and staff of cooperatives, fewer women were elected to the board of directors.

## B. ACTIONS TAKEN: POLICY AND PROGRAM DEVELOPMENTS

511. Legislative and executive initiatives aimed at improving the situation of the rural populace include:

a. The Fisheries Law of 1998 provides women the right to representation in local councils formed to implement the government's coastal resource management program. However, the law has been criticized as favoring commercial fishing operators over municipal fishers and market-oriented over subsistence production, which do not serve the interests of women in fishing communities.

b. The Social Reform and Poverty Alleviation Act or 1997 serves as the basis for the anti-poverty programs of three presidents. In 2001, the Arroyo administration launched the Kapit-Bisig Laban sa Kahirapan program (see also paragraphs 479c. and 479.d), providing shelter assistance, infrastructure, electrification, livelihood and other basic services badly needed in rural areas.

c. As noted in paragraph 146.b, the Indigenous People's Rights Act provides equality between indigenous women and men women in connection with rights and opportunities in various spheres of life, and participation of indigenous women in decision-making process in all levels. The implementation of this law has met serious obstacles due to dispute over ancestral lands.

d. A bill pending in the House of Representatives (HB 2970, or the Magna Carta of Women in Rural Development) seeks to protect and promote the rights of rural women. It recognizes the roles and contributions of rural women to the country's economic development and food security, and offers measures to enhance and develop their skills, provide employment, and enable them to contribute to their communities to the fullest of their capabilities.

e. Proclamation No. 1105 declares 15 October as National Rural Women's Day. It calls attention to the plight of the rural sector and promotes concerted action from all segments of society. During the celebration of the National Rural Women's Congress in 2003, the participants forged "The Rural Women Agenda: A Ten Year Vision" which contains an eight point agenda and corresponding proposed resolutions, which includes ensuring rural women's property rights under agrarian reform, in ancestral domains and coastal resources, and increasing rural women's access to adequate food, safe and potable water and basic services.

512. The environment and natural resources department has instituted major policies to grant women equal access to natural resources. Its Community-Based Forest Management Program has adopted a gender-mainstreaming handbook to ensure gender parity in its implementation. The department has also been issuing certificates of stewardship contracts and opening access to training programs for both spouses. However, success in these areas has been limited by local politics, lack of infrastructure and support services, and persistent sexist biases and stereotypes in rural and upland areas.

513. The Comprehensive Agrarian Reform Law provides: "All qualified women members of the agricultural labor force must be guaranteed and assured equal rights to ownership of land, equal share of farm's produce and representation in advisory or appropriate decision making bodies." To implement this, the agrarian reform department adopted GAD as a key principle of Comprehensive Agrarian Reform Program (CARP) implementation and a key element of the

Agrarian Reform Community (ARC) development approach.[20] It also provided classified guidelines to ensure gender equality in the generation and issuance of Emancipation Patents and Certificate of Land Ownership Awards (EP/CLOA) between spouses who are agrarian reform beneficiaries (ARBs).

514. In the last few years, the department has introduced additional safeguards such as the issuance of Administrative Order No. 1 series of 2001. This is to further protect the rights of both spouses to ownership of the land. This requires the issuance of Emancipation Patents or Certificates of Land Ownership Award (EP/CLOA) in the name of both spouses, in accordance with the applicable provisions of the Family Code and the Civil Code on property relations involving legally married and common-law spouses. It also ordered the integration of gender-responsive reporting system in the reporting system for land acquisition and distribution and in the department's computerized information system. The Department's National GAD Steering Committee through the GAD Technical Working Group Focal Point provides the directions and monitoring of the gender-based agrarian reform programs. The regional and provincial GAD Focal Points serve as implementing bodies.

515. The efforts of recent years to obtain gender parity in land distribution seemed to have born fruits. From January to December 2003, women beneficiaries (33% of total beneficiaries) were granted 18,205 EP/CLOAs. Included among the individual beneficiaries were husbands and wives who opted to have their EP/CLOA issued separately and in the case of collective EP/CLOA to be listed or annotated as separate beneficiaries regardless of their marital affiliation provided their respective vested rights to the awarded lands have been verified and established according to law.

516. From 1993 to December 2003, the agrarian reform department launched 1,587 ARCs nationwide where 66,201 beneficiaries cultivated their land. A total of 3,391 farmers' organizations or cooperatives operate in these areas. Women accounted for 35 percent of the members. They also accounted for 41 percent of committee members, but only 28 percent of leaders.

517. As discussed under Article 13, the social welfare department has been at the forefront of providing social services to the poorest sector. It has established and operated barangay day care centers, a number located in rural areas. It conducted training, extended capital assistance and delivered an integrated package of social services in order to help families living in poverty.

518. The agriculture department undertakes a wide range of gender-responsive programs through its different bureaus and offices. Some of these are the following:

a. Livelihood Enhancement for Agricultural Development of the National Agriculture and Fishery Council, which covers 423 projects benefiting 27,150 rural women nationwide with funding amounting to about PhP60 million. The department uses as an indicator of success the economic viability and sustainability of projects that ultimately benefit women.

[20] An "Agrarian Reform Community" is composed of a cluster of land-reformed barangays (village) in a municipality where farmers and farm workers are awaiting the full implementation of agrarian reform.

b. Agricultural Training Institute, which has conducted, from 1996 to 2000, some 10,674 courses on production and post-production technologies, food processing, entrepreneurship, cooperative development, and others. A total of 174,000 women, representing 40 percent of total trainees, participated in these courses. Extension services were provided to both women and men, and lately, there has been a deliberate move to involve more women.

c. Agricultural credit through QUEDANCOR, provided to women who comprised 64 percent of borrowers. Of the total PhP4.78 million loan released, however, women's share was only 36 percent.

d. The Lending Windows of the agriculture department provided 56,000 women with credit assistance to finance women's projects in the agri-fishery sector. Out of the P11.2 billion in loans released to the sector from 1996 to 2003, P2.7 billion has been allocated for women borrowers.

e. A joint project of the department and NCRFW to mainstream gender in the implementation of the Agricultural and Fisheries Modernization Act (AFMA). Included in AFMA were provisions that give women workers in the sector the opportunities to participate in the planning and implementation of agricultural programs and to equally benefit from these. At least 5 percent of the department budget is allocated for gender mainstreaming in the development programs.

f. Integration of gender concerns in the data gathering tools of the Bureau of Post-harvest Research and Extension (BPRE) that influence the design parameters of post-harvest technologies. The bureau has developed and is continuously improving its gender-friendly processing equipment, such as mechanized cashew nut sheller and peeler.

519. The agriculture department has also been encouraging greater participation of women in agricultural policy making by involving them in the Agriculture and Fishery Councils in the regions (RAFC), provinces (PAFC), and municipalities (MAFC). As of June 30 2001, about 40 percent of women in RAFC, 30 percent in PAFC and 45 percent in MAFC participated in rural construction projects.

520. In each town or city, an agricultural technologist lends technical assistance to the Rural Improvement Club, a barangay-based women organization that serves as channel for developing women's leadership and potential towards home and community improvement. As of December 2000, there were about 19,200 organized and functional clubs, with 480,000 members, nationwide.

521. The labor department runs a project called Promotion of Rural Employment through Self-Employment Entrepreneurship Development (PRE-SEED), with components such as skills training with product enterprise development, accredited co-partners development and loan assistance to rural workers below the poverty line. From 1996 to 2000, the project has reportedly aided about 18,295 women.

522. The Technical Education and Skills Development Authority (TESDA) continued to conduct skills training in its regional and provincial centers nationwide. As noted in Article 11, TESDA programs offered non-traditional trades (such as welding, automobile and electronics) alongside traditional women's trades, but most of the 60,000 women who attended TESDA trainings had done so in the latter. How many of the women trainees come from rural areas could not be ascertained from the available data.

523. The education department implements the Reading Education Training Program which is an adult literacy program open to both women and men in the communities. The rural reach of the program, however, cannot be ascertained as of reporting period.

## C. REMAINING ISSUES AND OBSTACLES

524. Despite efforts by government to alleviate the plight of the rural poor, poverty remains a major issue confronting rural women. Poverty is related to such issues as lack of employment, education and skills, and peace and order. The imbalance in the distribution of resources between urban and rural areas creates a wide disparity in the development of the two areas in favor of cities. Poor health, landlessness, school dropouts, and high incidence of child labor are a few manifestations of rural poverty. Government should have a more realistic and more comprehensive approach to the problem, one that gives women greater share in decision-making, and the necessary tools and resources to help them break away from destitution. The implementation of the Local Government Code that devolves power and resources to local government units should ensure a more equal distribution of resources for health, education, livelihood and other social amenities to help the rural poor.

525. To address the imbalance in development of rural and urban areas, government must create viable agricultural industries, livelihood and job opportunities for rural women that harness the resources in the area while ensuring food security and protecting the environment. Training and building the capability of women should match the skill requirements of local industries, existing as well as planned, in order to arrest the migration of women to urban centers to search for employment opportunities.

526. Local government units and devolved government agencies should deliver basic social services that respond to specific needs of women in the rural area. The programs and services to be delivered for rural women should be anchored on a comprehensive collection and analysis of socio-economic data on women's needs and concerns in the locality.

527. Peace and order is a problem of the country that takes its greatest toll on rural areas. As evident in discussions elsewhere in this report, certain parts of Mindanao continued to be caught in the secessionist movement and kidnaps for ransom. Rural women caught in the midst of armed conflict suffer not only from extreme poverty but also severe anxiety and threat to their security. There is a need to address the peace and order situation in Mindanao and implement an integrated development program for Mindanao especially for its women and children victims of armed conflict.

528. Agriculture and fisheries are viewed as male areas, even if women engage in such occupations. Because of this non-recognition, rural women suffer. They have limited access to resources,

agricultural support system, training and technology. Most migrate to cities or overseas to work. Rural poverty is most often the push factor for rural women migration.

## Article 15
## Equality in Law and in Civil Matters

**Women's equality before the law and civil matters; equal opportunities to exercise legal capacity such as in concluding contracts and property administration; equal treatment in court procedures, among others**

### A. WOMEN'S SITUATION

529. As noted in discussions under previous Articles, Filipino women enjoy equal rights with men before the law as guaranteed by the Philippine Constitution and other laws.

530. As clearly articulated in RA 7192, women of legal age, regardless of civil status, have the capacity to act and enter into contracts equal to those of men under similar circumstances. In all contractual situations where married men have the capacity to act, married women shall have equal rights. Women are also guaranteed equal treatment in court procedures.

531. As also suggested in other parts of this report, problems persisted concerning enforcement of the laws. This was noted in the case of labor legislation (Article 11), and with laws concerning education (Article 10), and health (Article 12).

### B. ACTIONS TAKEN: POLICY DEVELOPMENTS

532. Government agencies are slowly recognizing women's capacity to act, especially in concluding contracts, land ownership and property relations. More than ever, married women may now purchase or lease public lands without a written permit from their husbands. As noted in Article 14, the agrarian reform department protects and promotes the rights of women tillers/farmers by issuing the emancipation patents/certificate of land ownership awards in the name of both wife and husband. Similarly, the environment and natural resources department has been issuing certificates of stewardship contracts to both husband and wife. In 2002, it repealed a long-standing policy that prohibited married women from applying for homestead patents, except for certain cases, and requires the written consent of a woman's husband before she can apply for the purchase or lease of public lands. After 66 years, Filipino women, regardless of civil status, shall now enjoy equal rights as men in the filing, acceptance, processing of the approval for public land applications.

533. In terms of court procedures, a recent development involves the creation of a subcommittee on the revision of the rules of court in response to the increasing number of cases of child abuse and on the observation that the country's rules of procedure and evidence are adult-oriented and not child-sensitive. The country's judicial academy formulated a proposed rule on child witness that allows children to give reliable and sufficient evidence, minimize trauma, and encourage them to testify in legal proceedings, facilitate the ascertainment of truth and protect the constitutional right of the accused. The proposed rules include: (a) child presumed to be a

qualified witness, (b) appointment of special persons to assist the child witness in and out of the courtroom, (c) changes in courtroom procedure and environment, (d) use of link television testimony and other devices to avoid face-to-face confrontation with the accused, (e) certain hearsay testimonies of child abuse victims made admissible; and (f) child records made confidential and subject to protective order.

534. As discussed in paragraph 180, the Supreme Court promulgated The Rule on Juveniles in Conflict with the Law that took effect on 15 April 2002 to protect and fulfill the right of juveniles in conflict in accordance with the Convention on the Rights of the Child (CRC) and relevant UN standards; and directed trial judges to check on the welfare of prisoners, especially minor detainees, by holding regular dialogues with relevant government officials and visiting jails.

535. The Supreme Court launched its gender mainstreaming campaign in 2003 by creating its Committee for a Gender-Responsive Judiciary, sponsoring a series of workshops to prepare the committee and the program management office to undertake GAD advocacy in the judiciary, and preparing its gender mainstreaming plan. In a related development, the University of the Philippines had completed a policy action research on the gender sensitivity in the Philippine court system.

536. As discussed in paragraph 199, the justice department issued in 1998 the Guidelines on the Handling of Rape Cases Involving Adult Victims to ensure, among others, the fair and respectful treatment of the adult rape victim and protection of the victim-survivor from further victimization.

537. In Department Order 22 series of 1998, the social welfare department sets the guidelines for media coverage of victims of abuse and exploitation.

## C. REMAINING ISSUES AND CHALLENGES

538. There have been various efforts of government to promote equal rights of women before the law and in civil matters and to expand their rights on property relations and treatment in court procedures. However, inequality in the legal capacity of women is found within marriage and family relations which affects their rights over concluding contracts, land ownership and property administration.

539. There are provisions in some laws that serve to nullify women's equality rights. An example is Article 39 of the Civil Code which states: "A married woman, 21 years of age or over is qualified for all acts of civil life except in cases specified by law." Another is the Philippine Passport Act of 1996 with its additional requirement in applying for passports for women to submit proof of marriage, divorce or annulment. Presenting documentary proof is demanded only from women, but not from male applicants. Said laws must be amended so that equal rights of women in all areas are promoted.

540. Government must ensure that concerned government and non-government entities implement the provisions of laws concerning contracts and property administration, as certain gaps are surfacing. For instance, some banks are reportedly violating the provision on the capacity of

women to borrow and obtain loans or secure credit arrangements. Women have to voluntarily submit for membership in GSIS or SSS rather than these systems initiating the procedures to ensure women's membership.

541. Efficiency of the courts is important in providing equal treatment for women and girl-child victims. A more gender-sensitive bench is also called for in hearing domestic violence cases.

542. Facilities of the courts to victims of domestic violence should also be enhanced. Specifically, these should be designed to provide protection and security for victims and witnesses. Providing accurate information on criminal court processes, protecting the victim through appropriate court orders and preventing the perpetrator from using further illegal means to continue the coercive control of the victim should be done.

543. Education on women's rights should be prioritized so that women can truly be empowered. Strict implementation of laws upholding equal rights and equal access to opportunities must be monitored, and policies and laws reviewed to correct loopholes in existing laws.

## Article 16
## Equality in Marriage and Family Law
### Equality rights with respect to marriage and family relations

### A. WOMEN'S SITUATION

544. Development processes are reshaping Filipino families, which have become smaller in size and more nuclear in composition. By developing country standards, however, Filipino women still marry early. In 1998, the median age at first marriage of women aged 25 to 49 years was 22.1 years, an increase of 0.5 year over the 1993 figure of 21.6 years. Registered marriages in 1998 totaled 549,265, which was 9.0 percent more than the 1995 figure of 503,650 (NSO 2002).

*545.* Education appears to influence age at marriage. For women with high school education, the median age at first marriage was 21.5 years, compared to 19.8 and 18.7 years of those with elementary and no education, respectively. For the college educated, the median age was about 25.2 years.

*546.* Various policy and program initiatives were implemented to promote and protect women's equal rights in marriage and family relations. However, traditional gender-role definitions persist despite the fact that women are already economically active.

## B. ACTIONS TAKEN

***Policy Developments***

547. The Family Code of 1997 removed many of the discriminatory provisions under the Civil Code. It equalized the age requirements to contract marriage at 18 years old; and gave joint authority to husband and wife over their children and to administer the conjugal property and choose the family residence. It gave the wife the right to exercise her profession or career and to accept gifts without the need of her husband's consent, to remarry even before the expiration of 300 days after the husband's death, and the right to retain parental authority over her children after remarriage. The Code also broadened the grounds for legal separation to include repeated violence, psychological incapacity, homosexuality and lesbianism and drug addiction. It substituted "sexual infidelity" of the respondent spouse for "adultery on the part of the wife and concubinage on the part of the husband" as a ground for separation.

548. In 1998, RA 8533 amended the Family Code. Under the Old Code, an action or defense for the declaration of nullity of marriage based on psychological incapacity shall prescribe in ten years from the passage of said Code. The new law changed that rule hence such action or defense shall no longer prescribe.

549. Republic Act 8187, or the Paternity Leave Act of 1996, provides every married male employee in the private and public sectors seven days paid leave if his legitimate spouse has delivered a child or suffered a miscarriage, to allow him to lend support to her in her period of recovery and in nursing the newborn child. However, the period of seven days is too short a time to assist a wife and newborn child. Besides, the law grants the benefit to married employees only. It discriminates against unmarried fathers and mothers, without impediment to marry each other, because their choice not to be married disqualifies them to avail of this benefit.

550. Another law that is expected to assist women caught in difficult family situations is the Family Courts Act of 1997 (RA 8369). This law mandates the establishment of family courts in major cities all over the country, granting them exclusive original jurisdiction over child and family cases. They include guardianship, annulment of marriage, declaration of nullity and legal separation, summary judicial proceedings under the Family Code, adoption, custody, support, constitution of the family home and cases of domestic violence against women and children. A related law is the Domestic Adoption Act of 1998 (RA 8552). Through this law, the State seeks to provide alternative protection and assistance through foster care adoption to neglected, orphaned or abandoned children.

551. Recognizing the rising incidence of solo parents, mostly women, Congress passed the Solo Parents Welfare Act of 2000 (RA 8972), which provides for a comprehensive program of social development and welfare services for solo parents and their children (see also Article 11). The law tasked various agencies to implement programs/services such as flexible work arrangements and parental leave of seven working days, livelihood development services, educational and housing benefits, among others.

552. The Early Childhood Care and Development (ECCD) Act of 2000 institutionalizes a comprehensive, integrated and sustainable national ECCD system. It promotes the active

involvement of parents and communities in providing the full range of health, nutrition, early education and social services programs to meet the basic needs of young children.

553. Executive Order No. 340, issued on 5 February 1997, directed national government agencies and government-owned and controlled corporations to provide day care services for their employees' children younger than five years. The social welfare department issued in 2000 the guidelines in the accreditation of day care centers and day care workers.

554. As discussed under Article 14, the agrarian reform department bestowed on housewives equal rights to own land in accordance with the applicable provisions of the Family Code and the Civil Code on property relations involving legally married and common-law spouses.

555. As discussed under Articles 14 and 15, the environment and natural resources department order amended in 2002 its regulations on alienable and disposable public lands thereby granting women, regardless of civil status, equal rights as men to apply for the purchases or lease of public lands.

556. Related bills such as House Bill 375 and 2518 promotes equal rights with respect to marriage and family relations, but are still pending with the House of Representatives Committee on Revision of Laws.

Program developments

557. New measures have been taken to assist women married to foreigners who are known to suffer from the difficulties wrought by interracial marriages. As also noted in paragraph 156, RA 6955, which declares unlawful the so-called mail-order bride, is one of the bases for programs to protect women under these circumstances. The Commission on Filipino Overseas (CFO), in cooperation with the foreign affairs department and other concerned agencies, is at the forefront of services designed to assist women overcome the difficulties of interracial unions and protect them from the dangers of trafficking.

a. To assist Filipino women involved in interracial marriages and migration, the CFO provides the Nationwide Guidance and Counseling Service to fiancées or spouses of foreign nationals. It provides the clients with information about migration laws affecting them, marriage concerns, and ways of coping with difficult situations, available welfare and support services abroad, and of their individuals and conjugal rights. From 1989 to 1998, the CFO has served a total of 162,286 fiancées and spouses of foreign nationals. The service has expanded its coverage to 16 country-specific and 4 general counseling sessions.

b. An Inter-Agency Committee on Intermarriages was created in 1998 to coordinate the campaign against trafficking. In 2000, Executive Order No. 220 replaced it with the Council to Suppress Trafficking in Persons, Particularly Women and Children. Chaired by the foreign affairs secretary, the council institutionalizes the process of coordination and collaboration among concerned agencies in the implementation of programs to suppress trafficking in persons. With the passage of RA 9208 or the

Anti-Trafficking of Persons Act in 2003, the functions of the Council was transferred to the Inter-Agency Council Against Trafficking.

c. The CFO Foreign Sponsor Watchlist System was put in place to facilitate access to information on foreign partners. The agency is particularly concerned with checking multiple sponsors or serial sponsors, especially those with record of domestic violence. An information and case monitoring system, which maintains sex-disaggregated data, documents and monitors cases referred to CFO for assistance. CFO has reportedly encoded 171 cases involving trafficking, immigration and family relations, among others, and recorded 731 foreign nationals who petitioned at least two Filipino fiancées and spouses for the year 1996 to 2000. Eleven cases of domestic violence were reported. Concerned parties are subjected to more rigorous evaluation and counseling process.

d. Filipino women departing as fiancées or spouses of foreign nationals are provided a list of migrant support network groups that extend aid to migrants in their country of destination. In addition, CFO maintains its links with overseas Filipinos through feedback forms and personal correspondence between counselors and clients to identify, on a continuing basis, critical areas for possible government intervention.

## REMAINING ISSUES AND CHALLENGES

558. In terms of ensuring the sharing of responsibility in the upbringing and development of children, the social welfare department has undertaken a project called ERPAT or "Empowerment and Reaffirmation of Paternal Responsibilities" (also a Filipino colloquial for "father") that aims to develop the skills of fathers in childrearing and care giving. Part of a national program for training fathers to become trainers to other fathers in the community, it has trained a total of 186 fathers as trainers. NGOs have been engaged in this type of program in other areas.

559. Provisions in the law cited in the fourth report as discriminatory to women or inconsistent with new laws persist. These laws are found in the Family Code, the Civil Code, the Code of Muslim Personal Laws, the Revised Penal Code, and Customary Law. For instance, contrary to the 1997 Family Code, the Revised Penal Code (Article 333 and 334) continued to define sexual infidelity separately in marriage—adultery on the part of the wife and concubinage on the part of the husband. It has been argued that it takes only one act for a woman to be charged with adultery, while the man's infidelity can only be proved if the relationship has been going on an extended period, such that there is a separate residence for the mistress or even children between the two. Moreover, the crime of adultery carries stiffer penalties compared with concubinage. For the former, the penalty of *prision correccional* in its medium (2 years, 4 months and 1 day up to 4 years and 2 months) and maximum period (4 years, 2 months and one day to 6 years). On the other hand, concubinage may be meted with the penalty of *prision correccional* in its minimum (6 months and 1 day to 2 years and 4 months) and medium period.

560. Efficiency and effectiveness in Shari'a Courts, which handle cases covered by the Code of Muslim Personal Laws (CMPL), is called for. Studies show that Muslim women filed more than 80 percent of cases docketed in these courts. Most complaints related to divorce, recovery

of unpaid dowry and support. Moreover, not all judicial districts created under the CMPL have been organized and have assigned judges, making courts inaccessible and adding problems to the enforcement of claims (such as support) granted by Circuit courts. Appeals usually stall execution of judgment because appellate courts (District courts) do not have judges. A proposal for the amendment of the CMPL has been submitted to the House Committee on Muslim Affairs but no amendatory bill has been filed yet. As to the improvement of the Shari'a Court system, specific programs for such form part of the Supreme Court's Action Plan for Judicial Reform.

561. Republic Act 6955, or the Anti-Mail Order Bride of 1990, which seeks to protect Filipino women from being exploited through mail-order marriage schemes has been circumvented through new technology and various means. The advent of the Internet has given rise to web sites that allegedly offer pen pal or dating services. However, since these web sites operate from places outside of the Philippines, it is very difficult to police or prevent a Filipino or a foreign national from availing of its services. Hence, there is a need to update enforcement of RA 6955 vis-à-vis such new technology. Meanwhile, advertisements for commercially arranged marriages that used to regularly appear in newspapers disappeared when this law was enacted in 1990. In reality, however, the law has only led those involved in the mail-order bride matching business to go underground. It is estimated that 1,000 to 2,000 Filipino women enlist with mail order agencies annually, with almost all of them ending in marriage as cited in the Philippine fourth periodic report to the Women's Convention.

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*** Please note that in addition to the published and unpublished sources or references, government agencies and non-government organizations sent data and administrative records to the NCRFW. Thus, a lot of them are listed as data sources.**

| | |
|---|---|
| AWCF | Asian Women in Cooperative Development Forum |
| CAPWIP | Center for Asia Pacific Women in Politics |
| CATW-P | Coalition against Trafficking of Women in Asia Pacific |
| CESB | Career Executive Service Board |
| CFO | Commission on Filipinos Overseas |
| CHED | Commission on Higher Education |
| CHR | Commission on Human Rights |
| CLD | Center for Legislative Development |
| COMELEC | Commission on Elections |
| CSC | Civil Service Commission |
| DA | Department of Agriculture |
| DAR | Department of Agrarian Reform |
| DBM | Department of Budget and Management |
| DepEd | Department of Education |
| DENR | Department of Environment and Natural Resources |
| DFA | Department of Foreign Affairs |
| DILG | Department of Interior and Local Government |
| DOH | Department of Health |
| DOJ | Department of Justice |
| DOJ-BOI | DOJ-Bureau of Immigration |
| DOLE | Department of Labor and Employment |
| DOLE-BWYW | DOLE-Bureau of Women and Young Workers |
| DOLE-ILS | DOLE-Institute of Labor Studies |
| DOLE-NLRC | DOLE-National Labor Relations Commission |
| DOLE-OSHC | DOLE-Occupational Safety and Health Center |
| DOLE-OWWA | DOLE-Overseas Filipino Workers Administration |
| DOLE-POEA | DOLE-Philippine Overseas Employment Administration |
| DPWH | Department of Public Works and Highways |
| DSWD | Department of Social Welfare and Development |
| DTI | Department of Trade and Industry |
| GSP | Girl Scouts of the Philippines |
| IPG | Institute of Politics and Governance |
| NATTCO | National Confederation of Cooperatives |
| NBI | National Bureau of Investigation |
| NCIP | National Commission on Indigenous People |
| NCRFW | National Commission on the Role of Filipino Women |
| NCSD | National Council of Social Development |
| NEDA | National Economic and Development Authority |
| NFWC | National Federation of Women's Clubs |
| NSCB | National Statistical Coordination Board |
| NSO | National Statistics Office |

| | |
|---|---|
| NYC | National Youth Commission |
| PSC | Philippine Sports Commission |
| PEZA | Philippine Economic Zone Authority |
| PIA | Philippine Information Agency |
| PMA | Philippine Military Academy |
| PNP | Philippine National Police |
| PNGOC | Philippine NGO Council on Population, Health and Welfare |
| POPCOM | Commission on Population |
| SALIGAN | *Sentro ng Alternatibong Lingap Panlegal* (SALIGAN) |
| SIBOL | *Sama-samang Inisyatiba ng Kababaihan sa Pagbabago ng Batas at Lipunan* |
| SC-JBC | Supreme Court-Judicial Bar Council |
| TUCP-SC | Trade Union Congress of the Philippines-Solidarity Center |
| TESDA | Technical Education and Skills Development Authority |
| UKP | Phil. Women's Network in Politics and Governance |
| UCWS | University of the Philippines - Center for Women's Studies |
| VRB | Videogram Regulatory Board |
| WBC | Women's Business Council |
| WCC | Women's Crisis Center |
| WIN | Women in Nation-Building |
| WLB | Women's Legal Bureau |
| WMCF | Women's Media Circle Foundation |

## ANNEX A: TABLES TO ACCOMPANY TEXT

## ANNEX TABLES REFERRED TO IN ARTICLE 10

Annex Table B10.1. Net enrolment and cohort survival rates for female and male children, by level of education

| Education level and school year | Drop out rate | | Net enrolment rate | | Cohort survival rate | |
|---|---|---|---|---|---|---|
| | Female | Male | Female | Male | Female | Male |
| *Elementary* | | | | | | |
| 1996/1997 | 6.5 | 9,4 | | | 73.0 | 63.4 |
| 1997/1998 | 6.3 | 8.4 | | | 73.5 | 64.4 |
| 1998/1999 | | | 94.0 | 97.4 | 74.3 | 65.6 |
| 1999/2000 | 7.3 | 8.7 | 97.2 | 96.8 | 74.2 | 64.9 |
| 2000/2001 | 5.8 | 8.4 | 97.2 | 96.4 | | |
| *Secondary* | | | | | | |
| 1996/1997 | 8.4 | 11.3 | | | 78.1 | 68.8 |
| 1997/1998 | 8.1 | 11.8 | | | 52.6 | 41.0 |
| 1998/1999 | | | 68.0 | 62.4 | 77.3 | 65.2 |
| 1999/2000 | 7.8 | 13.9 | 68.2 | 62.7 | 77.0 | 65.1 |
| 2000/2001 | 7.1 | 10.4 | 69.5 | 62.7 | | |

Source of data: Planning Services, Department of Education (as cited in Reyes 2003)

Annex Table B10.2: Tertiary enrolment, by sex, selected years

| Academic Year | Male | Female | Total | Percent female |
|---|---|---|---|---|
| 1993-1994 | 396,378 | 523,524 | 919,902 | 56.9 |
| 1996-1997 | 895,751 | 1,325,087 | 2,220,838 | 59.7 |
| 1998-1999 | 999,142 | 1,280,172 | 2,279,314 | 56.2 |
| 1999-2000 | 1,063,246 | 1,310,240 | 2,373,486 | 55.2 |
| 2000-2001 | 1,159,462 | 1,250,840 | 2,410,302 | 51.9 |

Source of data: Commission on Higher Education, 1993-2001.

**Annex Table B10.3. Selected gender-related statistics for tertiary-level enrolment**

| Discipline | Percent female to total | | | Percent distribution of enrollees, 1996-1997 | |
|---|---|---|---|---|---|
| | 1996-1997 | 1997-1998 | 1999-2000 | Female | Male |
| Home economics | 88.2 | 92.7 | 88.6 | 0.3 | -* |
| Service trades | 84.9 | 82.0 | 79.0 | 0.5 | 0.1 |
| Trade, craft and industrial courses | 81.3 | 52.5 | 84.0 | -* | -* |
| Education and teacher training | 78.4 | 77.6 | 74.7 | 17.8 | 7.5 |
| Mass communications and documentation | 76.6 | 77.7 | 65.4 | 0.7 | 0.3 |
| Business administration and related courses | 74.9 | 68.0 | 65.7 | 43.8 | 21.7 |
| Medicine and allied courses | 73.8 | 72.4 | 69.0 | 11.1 | 5.8 |
| Social and behavioral sciences | 69.7 | 70.2 | 62.7 | 2.2 | 1.4 |
| Natural sciences | 66.4 | 65.2 | 64.2 | 1.2 | 0.9 |
| Humanities | 64.1 | 60.5 | 54.3 | 0.7 | 0.6 |
| General courses | 62.5 | 63.0 | 62.6 | 5.1 | 4.5 |
| Mathematics and computer science | 59.4 | 55.1 | 56.4 | 6.9 | 7.0 |
| Agriculture, forestry, fishery, veterinary medicine | 50.3 | 50.2 | 46.6 | 2.7 | 4.0 |
| Fine and applied arts | 49.7 | 46.5 | 49.8 | 0.4 | 0.6 |
| Law | 41.0 | 43.5 | 43.0 | 0.5 | 1.0 |
| Architecture and town planning | 24.6 | 25.6 | 34.7 | 0.4 | 1.9 |
| Engineering | 20.0 | 21.3 | 25.7 | 4.6 | 10.6 |
| Religion and theology | 10.0 | 7.3 | 30.9 | -* | -* |
| Total | 59.7 | 56.2 | 55.2 | 1,325,087 | 895,751 |

*Less than 0.05 percent.

Sources: Commission on Higher Education for 1996/1997 and 1997/1998; and BLES (2003c), for 1999/2000.

Annex Table B10.4. CHED scholars, by program and sex, 2002-2003

| Program | Sex of recipient | | | Percent female |
|---|---|---|---|---|
| | Male | Female | Both sexes | |
| State Scholarship Program | 310 | 690 | 1,000 | 69.0 |
| National Integration Study Grant Program | 374 | 890 | 1,264 | 70.4 |
| Selected Ethnic Group Educational Assistance Prog. | 429 | 871 | 1,300 | 67.0 |
| OPPAP-CHED Study Grant Program for Rebel Returnees | 637 | 837 | 1,474 | 56.8 |
| Private Education Student Financial Assistance Program | 5,860 | 8,790 | 14,650 | 60.0 |
| Study-Now-Pay-Later-Plan | 444 | 746 | 1,190 | 62.7 |
| College Faculty Development Fund | 235 | 297 | 532 | 55.8 |
| CHED Scholarship Program for Bright Mindanaon Muslims | 78 | 52 | 130 | 40.0 |
| Study Loan Program for Center of Excellence | 94 | 239 | 333 | 71.7 |
| State Scholarship Program for Bachelor of Secondary Education for Selected SUC | 47 | 57 | 104 | 54.8 |
| CHED Special Study Grant Program for Congressional Districts | 6,744 | 11,746 | 18,490 | 63.5 |
| Student Loan Fund for Region V | 356 | 543 | 899 | 60.4 |
| Totals | 15,608 | 25,758 | 41,366 | 62.3 |

Annex Table B10.5. Number of women graduates of TESDA nontraditional skills training courses, 1998-2001

| Type of training | Trade area | | | | All trades |
|---|---|---|---|---|---|
| | Automotive | Welding | Electronics | Ceramics | |
| Pre-employment | 73 | 44 | 107 | 39 | 263 |
| Skills upgrading | 17 | 5 | 0 | 1 | 23 |
| Comprehensive trainers' training | 2 | 12 | 8 | 9 | 31 |
| All types of training | 92 | 61 | 115 | 49 | 317 |

## ANNEX TABLES REFERRED TO IN ARTICLE 11

**Annex Table B11.1. Labor force participation rates (in percent) for urban and rural areas, by sex of workers (October survey rounds)**

| Item | 1996 | | 1998 | | 2000 | | 2002 | |
|---|---|---|---|---|---|---|---|---|
| | Female | Male | Female | Male | Female | Male | Female | Male |
| Total | 49.0 | 82.7 | 49.3 | 82.9 | 48.4 | 80.3 | 51.7 | 80.8 |
| Urban | 48.6 | 78.5 | 50.1 | 78.8 | 48.8 | 76.6 | 51.7 | 77.4 |
| Rural | 49.3 | 86.4 | 48.5 | 86.6 | 47.9 | 84.0 | 51.7 | 84.0 |

Source: National Statistics Office, Labor Force Surveys, various years.

**Annex Table B11.2. Labor force participation rates (in percent), by age and sex of workers (October survey rounds)**

| Age group | 1996 | | 1998 | | 2000 | | 2002 | |
|---|---|---|---|---|---|---|---|---|
| | Female | Male | Female | Male | Female | Male | Female | Male |
| 15-19 years | 28.7 | 46.7 | 27.3 | 47.4 | 24.9 | 41.6 | 25.4 | 43.0 |
| 20-24 years | 50.2 | 82.5 | 51.2 | 82.2 | 52.0 | 78.2 | 55.8 | 79.8 |
| 25-34 years | 52.6 | 97.2 | 53.4 | 97.2 | 54.1 | 96.8 | 57.7 | 96.6 |
| 35-44 years | 58.4 | 98.8 | 60.3 | 98.9 | 58.2 | 97.9 | 62.1 | 98.2 |
| 45-54 years | 62.3 | 96.8 | 62.1 | 97.1 | 59.3 | 96.2 | 65.0 | 96.5 |
| 55-64 years | 54.1 | 87.2 | 54.3 | 88.3 | 53.6 | 85.4 | 56.8 | 86.6 |
| 65 years and over | 29.0 | 57.3 | 29.6 | 58.1 | 28.9 | 55.7 | 31.5 | 55.3 |

Source: National Statistics Office, Labor Force Surveys, various years.

**Annex Table B11.3. Proportion of female workers to potential work force (total population 15 years or over), labor force (LF), and employed population (EP), by age group, 1996, 2000 and 2002**

| Age group | 1996 | | | 2000 | | | 2002 | | |
|---|---|---|---|---|---|---|---|---|---|
| | Pop 15+ | LF | EP | Pop 15+ | LF | EP | Pop 15+ | LF | EP |
| 15-24 years | 48.4 | 36.6 | 35.3 | 47.3 | 36.4 | 35.2 | 46.9 | 36.6 | 35.2 |
| 25-44 years | 50.1 | 36.2 | 36.0 | 50.6 | 37.1 | 37.3 | 50.4 | 38.5 | 38.4 |
| 45 and over | 51.8 | 39.5 | 39.7 | 52.6 | 39.7 | 40.2 | 52.6 | 41.6 | 42.1 |
| Total | 50.1 | 37.2 | 36.9 | 50.2 | 37.8 | 37.9 | 48.1 | 39.1 | 39.1 |

Source: National Statistics Office, Labor Force Surveys, various years.

**Table B11.4. Employment rates (in percent) for urban and rural areas, by sex of workers (October survey rounds)**

| Item | 1996 | | 1998 | | 2000 | | 2002 | |
|---|---|---|---|---|---|---|---|---|
| | Female | Male | Female | Male | Female | Male | Female | Male |
| Total | 91.8 | 93.0 | 90.2 | 90.5 | 90.1 | 89.7 | 89.8 | 89.9 |
| Urban | 91.1 | 90.0 | 89.3 | 86.9 | 88.7 | 85.3 | 88.8 | 85.4 |
| Rural | 92.5 | 95.5 | 91.1 | 93.4 | 91.7 | 93.6 | 90.8 | 93.8 |

Source: National Statistics Office, Labor Force Surveys, various years.

**Annex Table B11.5. Percent of female workers to total employed workers, by class of worker (October survey rounds)**

| Type of worker | 1996 | 1998 | 2000 | 2002 |
|---|---|---|---|---|
| Own account | 31.2 | 32.8 | 33.4 | 34.5 |
| Wage and salary | 35.8 | 36.9 | 37.6 | 38.3 |
| Unpaid family worker | 55.1 | 53.0 | 52.4 | 54.8 |
| All workers | 36.9 | 37.5 | 37.9 | 42.1 |

Source: National Statistics Office, Labor Force Surveys, various years.

Annex Table B11.6. Mean weekly hours worked by rural and urban workers, by sex of workers (October survey rounds)

| Item | 1995 | | 1996 | | 1997 | | 1998 | |
|---|---|---|---|---|---|---|---|---|
| | Female | Male | Female | Male | Female | Male | Female | Male |
| Urban | 46.7 | 45.5 | 47.2 | 45.9 | 46.8 | 45.7 | 46.6 | 44.8 |
| Rural | 35.9 | 39.8 | 34.6 | 39.1 | 35.3 | 39.1 | 36.1 | 38.5 |

Source: National Statistics Office, Labor Force Surveys, various years.

Annex Table B11.7. Selected statistics on part-time workers

| Item | 1998 | | 2000 | | 2002 | |
|---|---|---|---|---|---|---|
| | Female | Male | Female | Male | Female | Male |
| Total employed population (in 000) | 10,608 | 17,653 | 10,516 | 17,258 | 11,812 | 18,439 |
| Percent part-time among workers | 34.0 | 30.8 | 33.6 | 31.8 | 37.9 | 36.9 |

Source: National Statistics Office, Labor Force Surveys, various years.

Annex Table B11.8. Size of the informal sector work force, or total own account and unpaid family workers (in 000), by sex

| Sex of workers | 1996 | 1998 | 2000 | 2002 | 1996-2002 average growth rate (%) |
|---|---|---|---|---|---|
| Female | 5,442 | 5,487 | 5,314 | 6,212 | 2.4 |
| Male | 8,903 | 8,915 | 8,634 | 9,419 | 1.0 |
| Total own account and unpaid family workers | 14,345 | 14,402 | 13,948 | 15,631 | 1.5 |
| Percent to total employed population | 52.3 | 51.0 | 50.2 | 51.7 | - |

Source: National Statistics Office, Labor Force Surveys, various years.

## ANNEX TABLES REFERRED TO IN ARTICLE 13

**Annex Table B13.1. Selected information on loans extended to women by the Development Bank of the Philippines (DBP) and Land Bank of the Philippines (LBP), 1998-2001**

| Year | DBP | | LBP | |
|---|---|---|---|---|
| | Number of women beneficiaries | Amount released (in million pesos) | Number of women accounts | Amount approved (in billion pesos) |
| 1998 | 121 | 30.365 | 3,885 | 3.704 |
| 1999 | 445 | 57.359 | 3,526 | 3.874 |
| 2000 | 5,070 | 79.288 | 3,455 | 6.429 |
| 2001 | 9,692 | 136.849 | 3,726 | 5.043 |

Source: Department of Trade and Industry

Annex Table B13.2. Beneficiaries of trade and industry department's training programs, 2001

| Training Institutions/Training Program | Number of Trainees | | |
|---|---|---|---|
| | Women | Men | Total |
| *PTTC* | *3,912* | *5,695* | *9,607* |
| Export enterprise development | 1,276 | 1,843 | 3,119 |
| Quality/Productivity/Environment | 772 | 2,390 | 3,162 |
| Product-focused program | 539 | 552 | 1,091 |
| Furniture | 20 | 83 | 103 |
| Garments | 200 | 180 | 380 |
| Language programs | 40 | 15 | 55 |
| SMED work seminars | 1,065 | 632 | 1,697 |
| *CITC* | *3,364* | *1,100* | *4,464* |
| Gifts and housewares | 3,276 | 738 | 4,014 |
| Furniture and builders woodwork | 2 | 208 | 210 |
| Fine jewelry | 49 | 40 | 89 |
| Footwear | 37 | 114 | 151 |

Source: Department of Trade and Industry

## ANNEX TABLES REFERRED TO IN ARTICLE 14

**Annex Table B14.1. Selected fiscal indicators**

| Item | 1994 | 1996 | 1998 | 2000 | 2002 |
|---|---|---|---|---|---|
| Foreign Debt (in US$ billion)* | 39.4 | 40.1 | 48.3 | 50.0 | 52.2 |
| Total Government Expenditures (in billion pesos) | 327.8 | 493.5 | 537.4 | 682.3 | 780.8 |
| Budget Surplus (Deficit) (in billion pesos) | (18.1) | (6.2) | 49.9 | (134.2) | (130.0) |
| Expenditures for social services (in billion pesos) | 76.9 | 122.9 | 175.2 | 213.0 | 233.0 |
| Percentage of budget for social services to total | 23.5 | 24.9 | 32.6 | 31.2 | 29.8 |
| Percentage of debt service to total | 24.1 | 18.3 | 18.5 | 20.6 | 26.2 |

Source: For the foreign debt data, ADB website; for the rest of the data, National Statistics Office, *2002 Philippine Yearbook.*

*Note:

B14.2 and B14.3 were not included in the submission.

## ANNEX B: PHILIPPINE PROGRESS REPORT (2001-2003) ON THE IMPLEMENTATION OF THE BEIJING PLATFORM FOR ACTION AND OUTCOME DOCUMENT

Note:

The report referenced as Annex B will be made available to members of the Committee in the language in which it was received.